



Crl.O.P.No.24539 of 2023

WEB COPY

Crl.O.P.No.24539 of 2023

C.V.KARTHIKEYAN, J.

The Petitioners/A2 and A3, in Crime No.129 of 2023 registered by the 3rd respondent/the Inspector of Police, Economic Offences Wing – II, Greater Chennai Police, Chennai for the offences under Sections 406, 420, 465 and 471 IPC read with Section 5 of TN Protection of Interest of Depositors (In Financial Establishment) Act, 1997, seek anticipatory bail.

2. It is the contention of the respondent that the 1st Accused had started a company called “VRP Motors”, in which, the *modus operandi* was to lure customers to purchase cars and later, to lend out the CNG cars for rent and recollect the rental incomes. It is stated that in this manner, the 1st Accused is said to have collected a sum of Rs.4,32,55,055/- (Rupees Four Crores Thirty Two Lakhs Fifty Five Thousand and Fifty Five only) from 234 customers.

3. It is further stated by the learned Government Advocate



Crl.O.P.No.24539 of 2023

(Criminal Side) that further complaints had been received. Insofar as these two Petitioners are concerned, it is the specific case of the respondent that they are working as Manager and Finance Manager in VRP Motors.

4. The learned counsel for the Petitioners denied that particular contention and stated that the 1st Petitioner, had been appointed in the department as Service and the 2nd Petitioner, had been appointed in the department as Sales in the year 2022. It is stated that the entire incident took place in the year 2021 and it is therefore contended that these Petitioners did not know about the offences which had been committed by the Accused A1.

5. It is also contended that the Accused A1 had appeared on notice issued by the respondent and had given a statement that he alone is responsible for the collection of the amounts. The Accused A1 had been remanded to the custody but had been granted bail under Section 167(2) of Code of Criminal Procedure.

6. It is seen from the records that the Petitioners were employed in



Crl.O.P.No.24539 of 2023

VRP Motors. That fact is not denied or disputed by the learned counsel for the Petitioners. It is only stated that they were in the department of service and sales and that, therefore they were not Finance Manager or Manager. But in that particular company, a total number of 234 customers had deposited over Rs.4.50 Crores for purchase of CNG cars and to lend it out on rental basis and collected incomes. The cars had not been handed over and the amounts had not been returned back. There has been complete denial to each one of the depositors for the amounts deposited by them.

7. The role of the Petitioners can be determined only when the respondent conducts further investigation. Further investigation can be done only when the Petitioners are interrogated. Interrogation is possible only when the Petitioners are taken into custody.

8. Taking into consideration the seriousness of the offences and the fact that the huge amounts involved and the fact of the number of persons who had now been cheated, I am not inclined to granted anticipatory bail to the Petitioners herein.

9. Accordingly, this Criminal Original Petition stands dismissed.



WEB COPY

mkn2



CrI.O.P.No.24539 of 2023

21.03.2024

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No.24539 of 2023

mkn2

Crl.O.P.No.24539 of 2023

21.03.2024