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CRL. M.P. No.18650/2023, etc.

CRL. M.P. NOS. 18650, 18887 & 18955 OF 2023
CRL. M.P. NOS. 1225, 2694 & 10172 & 9760 OF 2024
IN
CRL. A. NOS. 1365, 1413, 1429, 1430 OF 2023 & 112 & 1188 OF 2024

Reserved on	Pronounced on
12.07.2024 & 16.07.2024	19.07.2024

M.DHANDAPANI, J.

The aforesaid six appeals arise out of the judgment of conviction and sentence passed by the Special Judge under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishment) Act, 1997, (for short 'the Act') in C.C. No.6/2020 vide order dated 20.11.2023.

2. The six appellants, who were arrayed as A-4, A-9, A-13, A-14, A-15 and A-32, along with 28 other accused, were charged and tried for various offences under the Act and also the under various Sections of the Indian Penal Code. After trial, while A-1 to A-4, A-8, A-9, A-10, A-12, A-13, A-14, A-15 and A-18 to A-34 were found guilty of the offence u/s 5 of the Act (446 counts) and Sections 120-B



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r/w 420, 420 and 406 IPC and were convicted and sentenced, however, they were found not guilty of the offence u/s 409 r/w 109, 468 and 471 IPC. A-5, A-6 and A-16 died pending trial and the charges against them stood abated. A-7 and A-17 were found not guilty of the offences u/s 5 of the Act and 120-B r/w 420, 420, 206, 209 r/w 109, 468 and 471 IPC and the case against A-11 was split up in C.C. No.3/2021.

3. Assailing the said judgment of conviction and sentence, the aforesaid appeals along with other appeals were filed together with petitions for suspension of sentence. However, when the matter was taken up on an earlier occasion, the learned counsel appearing for A-8, A-10, A-12, A-33 and A-34, sought the leave of this Court to withdraw the petitions relating to suspension of sentence and, accordingly, the said leave was granted and the said petitions were dismissed as not pressed. Therefore, the present miscellaneous petitions remain consideration of the prayer for suspension of sentence pending hearing the appeals.



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4. The short facts leading to the filing of the present appeals could be summarised as under :-

A-4, viz., the appellant in C.A. No.1413/2023, who has filed Crl. M.P. No.1887/2023, seeking suspension of sentence, according to the prosecution, is the kingpin, who had floated 17 companies, which are accused in the case and through the said companies, A-4 raised deposits under four different deposit schemes, viz., Prime Invest, Asset Backed Security Bond, Safety Plus and Liquid Plus. Though the accused collected money from the depositors under the guise of paying higher interest, however, the accused defaulted in payment of the deposit amounts, resulting in the registration of the case in Crime No.5/2013. One more case was also registered by the Economic Offences Wing, Trichy, in Crime No.1/2015 and both the cases were clubbed together and investigated in which 587 depositors were examined and upon completion of investigation, final report was filed against the accused for the offences aforesaid.

5. While some of the accused are companies, which were floated for the purpose of collecting deposits, the other accused were the Directors and



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Executive and wife of one of the Directors of the company. Upon conduct of trial, the accused, who have been noted above were convicted and sentenced, while the certain other accused were found not guilty and the charge against two of the accused stood abated on their death pending trial. The narrative of the facts, have been very briefly stated above for the reason that for the present, this Court is considering only the factum of suspension of sentence and is not dealing with the appeal. Therefore, facts, in extensor, have not been dealt with, including the process of investigation and the manner in which investigation was conducted and the manner of identification of the depositors and various other investigative processes leading to the filing of the final report.

6. A-4, who appeared before this Court as party-in-person made the submissions , the sum and substance of which is summarised hereunder, as this Court, as aforesaid, is considering only the issue of suspension of sentence and, therefore, there is no need to capture the individual arguments advanced on behalf of the respective accused in extenso.



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7. The following submissions were advanced to seek the indulgence of this

Court for grant of suspension of sentence :-

- i) There is complete lack of evidence and legal basis for convicting the accused and there is complete denial of fair trial.
- ii) The conduct of trial is wholly unfair as of the 85 witnesses, who have been examined as P.W.s 1 to 85, P.W.s 1 to 74 were not allowed to be cross examined by A-1 to A-3 and A-18 to A-31, which vitiates the concept of fair trial.
- iii) Further, the petition u/s 311 Cr.P.C. and 243 (2) Cr.P.C. for recall and cross examination of P.W.s 1 to 74 were refused.
- iv) Further, P.W.88, who is the main investigating officer, through whom major documents, viz., Exs.P-241 to P-1733 were marked over the course of three months, was



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never allowed to be examined in cross in entirety and the cross was terminated even at the very nascent stage.

- v) Further, 20000 pages of evidence under Exs.P-1197 to P-1727 were brought into evidence even without serving copies to accused as mandated u/s 207 Cr.P.C.
- vi) Though the genuineness of the certificates of L.W.s 1 to 587 was questioned, without verifying the genuineness of the said documents, the documents were allowed to be brought in as genuine documents to establish proof of investments, which is *per se* perverse and unsustainable.
- vii) Appellants/accused were denied access to the records of the case and they were never allowed to inspect the case records from June, 2022 onwards.
- viii) Though initially 775 victims and 14 accused were arrayed, however under the guise of curing defects in



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the final report, victims were changed to 587 and accused were raised to 34 by adding 20 more accused.

ix) Though 587 persons were shown as list witnesses, however only 85 witnesses were examined as P.W.s 1 to 85 along with 4 investigating officers as P.W.s 86 to 89.. The non-examination of the balance 502 list witnesses is crucial as only their examination will prove whether they had genuinely invested in the alleged deposits as otherwise, the amount alleged to have been received by way of deposits by the accused would starkly come down to Rs.3.5 Crores and odd from the aforesaid 85 witnesses.

x) Though the charge against the accused is to the tune of Rs.47 Crores from 587 list witnesses, the proved default is only to the extent of Rs.3.54 Crores. Without proving the balance deposit of Rs.44 Crores from the 505 alleged victims, the accused were found guilty of appropriating



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the deposits to the tune of about Rs.44 Crores without there being any tangible evidence to prove the same.

- xi) Further, for the proved claim, which is to the tune of only Rs.3.54 Crores, the trial court had directed compensation to the tune of Rs.180 Crores by imposing fine of Rs.191 Crores out of which the compensation was to be paid.
- xii) More curiously, P.W.1, on whose complaint, Crime No.5/2013 was registered and list witness one Balakrishna Sharma, who was not examined, on whose complaint Crime No.1/2015 was registered on the basis of investigation resulting in the culmination of C.C. No.6/2020, their depositions were held not proved.
- xiii) Further, A-9 is an executive of the company, even as per the findings rendered by the trial court, who is alleged to have solicited business of deposits, however, A-9 has also been mulcted with responsibility of running the



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affairs of the company, though in actuality, A-9 was not involved in the day-to-day activities of the companies, as even according to the findings rendered by the court below, A—1 firm was run by A-4 and his wife A-15 was involved in the affairs of the company.

- xiv) Further submission is made that not only the above infirmities in the conduct of trial, but even during trial, the evidence of the witnesses reveal glaring contradictions, which hit at the substratum of the prosecution case and a judgment of conviction could never be recorded on the said depositions and in the light of the glaring inconsistencies, infirmities and contradictions, in and by which the accused have a fair chance of acquittal, the sentence imposed on the appellants may be suspended by imposing any reasonable condition as this Court may deem fit.



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8. Canvassing the plea for suspension of sentence on behalf of the other accused/appellants herein, who are five in number, learned senior counsel appearing for the various accused/appellant herein placed multifold submissions. It is submitted by the respective learned senior counsel that A-4, who, according to the prosecution, is the kingpin in the present case, who has solicited the deposits and betrayed the depositors by not paying back the amounts received. It is the further submission of the learned senior counsel that the appellants/accused are not the Directors of the companies, which entities are also shown as accused in the crime, at the relevant point of time and even the companies in which they are Directors, there was no monetary transfer between A-1 and the company in which they were Directors.

9. It is the further submission of the learned counsel that the companies in which the appellants/accused are Directors, the said companies had not solicited any deposits from the depositors and no amounts were received from the said companies from A-1 or any of the other companies alleged to have been connected with the case. In the absence of the companies being either the



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beneficiaries under A-1 or beneficiaries through the deposits received from the depositors, the said accused cannot be held liable for any the acts of cheating of A-1. It is the submission of the learned counsel that the said facts have not been properly considered while appreciating the evidence on record and the appellants/accused stand a fair chance of acquittal at the hands of this Court and, therefore, prays for suspension of sentence.

10. Insofar as A-15 is concerned, who is the wife of A-4, it is the submission of the learned senior counsel that A-8 is in no way connected with the affairs of A-1 company and she is neither a Director nor is associated in any capacity with A-1. Merely on the strength of the deposition of P.W.24, who has stated that A-4 is managing A-1 company with the assistance of A-15, a finding has been rendered by the trial court. In the absence of any credible evidence pointing to the association of A-15 in the affairs of A-1, the finding recorded by the trial court is perverse. It is the further submission of the learned senior counsel that in the light of the aforesaid evidence and considering the fact that A-



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15 is a woman, this Court may consider grant of suspension of sentence on any reasonable condition, as this Court deems fit.

11. Learned counsel appearing for A-9, though initially withdrew the petition for suspension of sentence, however, submitted that inadvertently, the learned counsel had withdrawn the petition insofar as A-9 is concerned and, therefore, prayed that this Court may grant permission to file another petition and with the permission of this Court, Crl. M.P. No.10172/2024 has been filed, which was taken up on 16.07.2024, when the hearing was completed insofar as other appellants are concerned and this matter was also reserved along with the other petitions for orders.

12. Learned counsel appearing for A-9 submitted that even according to the case of the prosecution, A-9 is merely an executive in the employ of A-1 company and she had merely solicited deposits on behalf of A-1 in the course of discharge of duties as an employee and she is in no way connected with the usurpation of the deposits of the depositors. Though the status of A-9 has been



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accepted to be an employee, however, erroneously and through perverse appreciation of materials, A-9 has been fastened with liability as if she had illegally enriched herself with the amounts collected from the depositors. There are ample materials which prove that A-9 is not in any way connected with the affairs of A-1 or the other companies, except as an employee and, therefore, this Court, considering the fact that she is a woman and only an employee under A-1, consider granting suspension of sentence.

13. On the aforesaid contentions, it is the submission of the learned counsel for the appellants that all the aforesaid irregularities and illegalities in the course of trial has severely affected the outcome of the trial, which has prejudiced the appellants and they have not been given a fair opportunity to defend their case and without the safeguard made available to them to protect their rights and liberties, the appellants have been erroneously convicted and sentenced and, therefore, the judgment of the trial court is wholly perverse, unreasonable, arbitrary and illegal and the same is not sustainable.



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14. In support of the aforesaid submissions, learned counsel appearing for the appellants seeking suspension of sentence placed reliance on the following decisions :-

- i) *Darshan Singh – Vs – State of Punjab (2024 SCC OnLine SC 17);*
- ii) *Shivani Tyagi – Vs – State of U.P. & Anr. (2024 SCC OnLine SC 842);*
- iii) *Suresh Kumar & Ors. – Vs – State (NCT of Delhi) (2001 (10) SCC 338);*
- iv) *Bhagwan Rama Shinde Gosai & Ors. – Vs – State of Gujarat (1999 (4) SCC 421);*
- v) *Sharad Birdhi Chand Sarda – Vs – State of Maharashtra (1984 (4) SCC 116);*
- vi) *Omprakash Shani – Vs – Jai Shankar Chaudry & Anr. (2023 (6) SCC 123); Bhupatji Sartajji Jabraji Thakor – Vs – The State of Gujarat (SLP (Crl.) Diary No.27298/2024 – Dated 05.07.2024);*
- vii) *Zahira Habibullah Sheikh & Anr. – Vs – State of Gujarat & Ors. (2004 (4) SCC 158);*
- viii) *P.Sanjeeva Rao – Vs – State of AP (2012 (7) SCC 56);*
- ix) *Hoffman Andreas – Vs – Inspector of Customs (2000 (10) SCC 430);*



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- x) *Rajendra Bhagwanji Umraniya – Vs – State of Gujarat (MANU/SC/0428/2024);*
- xi) *Ekene Godwin & Anr. – Vs – State of TN (2024 SCC OnLine SC 337);*
- xii) *Neeraj Dutta – Vs – State (NCT of Delhi) (2022 INSC 1280);*
- xiii) *Natasha Singh – Vs – CBI (2013 (5) scc 741);*
- xiv) *CBI – Vs – V.C.Shukla & Ors. (1998 (3) scc 410);*
- xv) *Dipakbhai Jagdishchandra Patel – Vs – State of Gujarat & Ors. (AIR 2019 SC 3363);*
- xvi) *T.Nagappa – Vs – Y.R.Muralidhar (2008 (5) SCC 633);*
- xvii) *Kamlakar Atmaram Kadu – Vs – State of Maharashtra (2000 (2) MPLJ 106;*
- xviii) *Joginder Singh – Vs – State of Haryana (2014 (11) SC 335);*
- xix) *Masalti & Ors. – Vs – State of UP (AIR 1965 SC 202);*
- xx) *Shahejadjkhan Maheebukhan Pathan – Vs – State of Gujarat (2013 (1) SCC 570);*
- xxi) *Bharat Singh & Ors. – Vs – Ms. Bhagirathi (1966 AIR 405);*
- xxii) *Vijay – Vs – UOI & Ors. (2023 INSC 1030);*
- xxiii) *P.Ponnusamy – Vs – State of TN (MANU/SC/1451/2022);*
- xxiv) *Indrakumar – Vs – State of Chhattisgaarh (Crl. A. No.805/2013 – Dated 03.05.2017);*
- xxv) *Prakash Nishad @ Kewat Ziinak Nishad – Vs – State of Maharashtra (Crl. A. No.1636 & 1637/2023 - Dated 19.05.2023);*



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xxvi) *National Insurance Company Ltd. – Vs – Pranay Sethi & Ors.*
(2017 (16) SCC 680)

15. Common counter affidavit has been filed on behalf of the 1st respondent relying on which learned Addl. Public Prosecutor submitted that it is within the zone of the prosecuting agency to decide the persons, who should be heard as witnesses and the mere fact that a large number of witnesses have been cited as list witnesses need not necessarily lead to the examination of all the witnesses. Therefore, the non-examination of the said witnesses would not have a bearing on the outcome of the trial. It is the further submission of the learned Addl. Public Prosecutor that the contradictions pointed out on behalf of the appellants are points that have to be urged at the time of consideration of the appeal and that contradictions cannot be the basis to grant suspension of sentence, more so, when the quantum of misappropriation by way of depositors and cheating them without returning the deposits is vast and, therefore, this Court should be more circumspect while considering the grant of suspension and otherwise, the amounts collected from the various depositors through their hard



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efforts cannot be realised by the depositors as there is a possibility of the appellants siphoning of the amounts without paying the compensation ordered by the trial court, which has to be returned to the depositors.

16. Per contra, learned senior counsel appearing on behalf of the depositors/interveners, who have been permitted to submit their case, submitted that there are over 1000 depositors/victim, who have joined themselves to form “Viswapriya Investors Welfare Association” of which more than 70% members are senior citizens. It is the further submission of the learned senior counsel that of the aforesaid depositors, 198 persons have already deceased and the families of the said persons are left in lurch to even take care of their daily needs. It is the further submission of the learned senior counsel that even many of the persons are finding it difficult to even take care of their day-to-day life and are suffering from very many ailments.

17. It is the submission of the learned senior counsel that the depositors are not behind the blood and flesh of the victims; rather, they are only after their



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hard earned money, which has been swindled by the accused, which the depositors have not even seen the light of the day by receiving a penny from the accused and all that the depositors are interested is the return of their deposit amount along with interest and only to that end, the depositors are striving hard to get their money back.

18. It is the further submission of the learned senior counsel that it is not the case of the accused that they have not collected money from the gullible depositors under the various schemes, but the stand of the accused is only that the amount is an inflated amount and the accused have not denied the fact that they have not collected the money. It is the further submission of the learned senior counsel that not even a penny has been received by the depositors either during the course of trial or even during the pendency of this appeal, though the accused have denied the same.

19. Learned senior counsel appearing for the depositors, took this Court through the deposition of the various prosecution witnesses to drive home the



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point that the prosecution have proved that the accused have collected amounts as deposits from the various depositors, which, as aforesaid, has not been denied by the accused and the amounts have not been returned to them. Further, it is also submitted that the prosecution witnesses, in unison, have spoken about the activities of the various accused in the day-to-day affairs of the companies.

20. However, barring the above, it is fairly submitted by the learned senior counsel for the depositors that the depositors, who are intervening in this petition are not against the grant of suspension of sentence to the accused, but they are only seeking the very same leniency that would be given to the accused in the form of suspension of sentence be showered on them so that the money deposited by the poor innocent victims is returned back to them as they have been struggling for more than a decade.

21. It is further submitted by the learned senior counsel that in the event of the appellants herein not inclined to adhere to the conditions imposed by this Court with regrd to any deposit of amount that may be ordered, this Court may



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dismiss the miscellaneous petitions, as the complicity of the accused/appellants in the commission of the crime has been proved through relevant material and documents as the accused, viz., A-13 and A-14 have accepted the collection of deposits from the depositors and depositing the same with A-1 company. Therefore, they would not be entitled to any leniency at the hands of this Court.

22. This Court gave its anxious consideration to the submissions advanced on behalf of the parties to the *lis* and also perused the materials available on record and also leafed through the various decisions that were placed for the consideration of this Court with regard to the various facets of the submissions placed on behalf of the appellants/petitioners seeking suspension of sentence.

23. Though very many decisions have been relied on by the appellant/A-4, who appeared in person before this Court, however, the said decisions would not be referable at this point of time when deciding the issue for suspension of sentence and all those decisions would be referable only when the appeals are taken up for consideration and, therefore, this Court is not advertent to the



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decisions, barring a few, which alone would have a bearing on deciding whether the plea of the accused/appellants herein requires consideration of this Court.

24. True it is that contradictions have been pointed out by the accused in support of their plea seeking suspension of sentence, which has been strenuously countered by the prosecution. However, the fact remains that the accused have been found guilty, convicted and sentenced on the materials and this Court, as the first appellate court, is bound to browse through the entire evidence to come to a conclusion with regard to the culpability of the accused in the commission of the crime. However, that facet of the case is only at the time of appreciation of the appeals filed challenging the conviction and sentence.

25. In the present state of the case, this Court is only bound to see whether a *prima facie* case has been made out for suspending the sentence imposed on the accused. However, it should also not be lost sight of that the allegation levelled against the accused relates to collection of deposits and not returning the deposits along with interest to the depositors at the time of



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maturity of the deposits, thereby, cheating the depositors of their hard earned money. The offence, to put it in a clear perspective, is a white collar offence, which sucks the blood of the depositors without killing them entirely. Non-return of the deposits received from the depositors would entirely disable the depositors from leading a normal life, as the reason for investing the whole amount by the depositors is centered on their leading a contented and safer life later in point of time.

26. In the present case, the depositors having alleged to have been robbed of their hard earned savings, definitely this Court has to keep in mind their plight as well while deciding the case for suspension of sentence, as giving a beneficial order in favour of one of the party to the *lis* should not stampede the other party out of contention, as the fate of the depositors hangs in balance as this is not a mere IPC offence, which has concern only with the State. Therefore, it is just and necessary for this Court to balance the scales in favour of both the parties, while considering the plea for suspension of sentence.



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27. The vehement objection of the learned Addl. Public Prosecutor appearing for the 1st respondent is centered around the fact that if the accused are left out on bail, it would be wholly difficult for the 1st respondent to secure the properties and realise the amounts for being paid to the depositors, as the appellants would encumber the properties, as it is submitted that in many of the properties, which have already been identified, encumbrance have been created by the appellants making it difficult and cumbersome for the 1st respondent to realise the amounts from the said properties. Therefore, letting out the appellants by granting suspension of sentence would be very much against the interest of the depositors. However, he fairly submitted that if the Court is inclined to grant suspension of sentence, then without putting stringent conditions, suspending the sentence of the appellants would not be in the interest of the depositors and the society at large.

28. In this regard, the decision of the apex Court in *Bhupatji Saratajji case* (*supra*) has been relied on wherein, the Apex Court had drawn a fine distinction insofar as imprisonment is concerned and how that would have an effect on the



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Court while considering the case for suspension of sentence. The relevant portion of the said decision is quoted hereunder :-

“7. There is a fine distinction between a sentence imposed by the trial court for a fixed term and sentence of life imprisonment. If a sentence is for a fixed term, ordinarily, the appellate court may exercise its discretion to suspend the operation of the same liberally unless there are any exceptional circumstances emerging from the record to decline. However, when it is a case of life imprisonment, the only legal test which the Court should apply is to ascertain whether there is any palpable or apparent on the facts of the record on the basis of which the court can come to the conclusion that the conviction is not sustainable in law and that the convict has very fair changes of succeeding in his appeal. For applying such test, it is also not permissible for the court to undertake the exercise of reappreciating the evidence. The emphasis is on the word “palpable” and the expression “apparent on the face of the record”.

29. In the present case, the term of imprisonment is fixed and is not for life. This Court, therefore, is clothed with power to exercise its discretion to



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suspend the sentence, but definitely, looking at the attendant circumstances surrounding the offence.

30. It should not be lost sight of that very many senior citizens have invested their hard earned money in the deposits floated by the accused keeping in mind the necessity for a rainy day, only to find out that on the day when the rains arrived, the shelter which they thought they had, had vanished like a mist and, thereby, the depositors were forced to soak in the rains on account of poverty gripping them as the money had been illegally swindled by unscrupulous elements and, therefore, the pressing necessity for providing succour to the depositors should be the prime concern in the mind of this Court when considering the case of the appellants/accused for suspension of sentence.

31. The appellants, to show their bona fide, had already submitted that this Court may impose reasonable conditions for compliance of the appellants when considering suspension of sentence. Equally, as is the stand of the interveners, they are not against grant of suspension of sentence to the



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appellants, but their only ground is that when the appellants seek leniency at the hands of this Court citing various commitments, including familial commitments, the plight of the depositors, who have been robbed of their hard earned money, may also be kept in mind and a realisation of the amount by this Court while granting suspension of sentence and disbursement of the same to the depositors would be just and reasonable.

32. As stated above, there are contradictions in the evidence, but the same could be appreciated only at the time of final hearing. Though *prima facie* materials are there on both sides in support of their contentions, this Court has to balance the scales of justice in favour of the both the parties, as keeping the accused in jail would not serve any purpose to the depositors as well, as the accused would languish in jail till a decision is taken in the appeal, while by the time, the appeal is decided on merits, much of the depositors, who are stated to be senior citizens, would have left their mortal coil, as between the time of their deposit and now, almost 198 depositors have breathed their last. Therefore,



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interest of either side warrants that a prudent and beneficial approach has to be taken by this Court so that the interests of both sides, would be best addressed.

33. In the aforesaid scenario, without tilting the scales of justice to suit the convenience of the parties, to render substantial justice, which would be beneficial to both the parties, this Court is inclined to suspend the substantive sentence alone imposed on the accused/appellants herein and, accordingly, the substantive sentence imposed on the appellants/accused shall stand suspended subject to the following conditions :-

- i) *The accused/appellants herein shall deposit the respective amount, as determined by this Court below to the credit of C.C. No.6/2020 on the file of the Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Chennai, and acknowledgement of such deposit shall be produced before the Special Judge, at the time of release on bail:-*

Name of the Appellant / Accused No.	Amt. of fine ordered by the trial court	Amount to be deposited by the accused/appellant herein
R.Subramanian (A-4)	Rs.8,92,60,000/=	Rs.3,00,,00,000/=(Rupees Three Crores only)



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A.Srimathi (A-9)	Rs.6,69,90,000/=	Rs.20,00,000/= (Rupees Twenty Lakhs only)
P.Ram Mohan (A-13)	Rs.15,63,10,000/=	Rs.3,00,00,000/= (Rupees Three Crores only)
R.Ganesh (A-14)	Rs.8,93,20,000/=	Rs.2,00,00,000/= (Rupees Two Crores only)
S.Srividhya (A-15)	Rs.2,23,30,000/=	Rs.75,00,000/= (Rupees Seventy Five Lakhs only)
P.Sadanand (A-32)	Rs.8,93,20,000	Rs.2,00,00,000/= (Rupees Two Crores only)

- ii) *On such deposit being made, the accused/appellants and production of deposit receipts acknowledging the deposit of the said amounts, the accused/appellants herein are directed to be released on bail on condition that each of the accused/appellant herein execute a bond for a sum of Rs.2,00,000/= (Rupees Two Lakhs) with two sureties, each for a like sum, to the satisfaction of the Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Chennai, within a period of four weeks from the date of receipt of a copy of this order;*
- iii) *The sureties shall affix their photographs and left thumb impression in the surety bond and the Special Judge shall*



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- obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;*
- iv) *The appellants herein shall appear before the learned Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997, Chennai, once in a week, i.e., on the first working day of every week at 10.30 a.m. until further orders.*
- v) *The learned Special Judge is directed to take steps to disburse the amount so deposited by the accused/appellants herein in appropriate proportion amongst the depositors on the basis of the deposits made by each of the depositor by arriving at the proportional amount after proper verification of deposit receipts and under due acknowledgment.*
- vi) *The criminal miscellaneous petitions are ordered in the aforesaid terms. List the criminal appeals in the usual course.*

19.07.2024

Index : Yes/ No

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To

29



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CRL. M.P. No.18650/2023, etc.

- 1) The Special Judge
Special Court under the TNPID Act
Chennai.
- 2) The Deputy Superintendent of Police
Economic Offences Wing-II
Chennai.



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CRL. M.P. No.18650/2023, etc.

M.DHANDAPANI, J.

GLN

**PRE-DELIVERY ORDER IN
CRL. M.P. NOS. 18650, 18887
& 18955 OF 2023
CRL. M.P. NOS. 1225, 2694 &
10172 OF 2024
IN
CRL. A. NOS. 1365, 1413, 1429,
1430/2023, 112 & 1188 OF 2024**



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CRL. M.P. No.18650/2023, etc.

**Pronounced on
19.07.2024**