



Crl.O.P.No.28504 of 2023

C.V.KARTHIKEYAN,J.

The petitioner who apprehends arrest at the hands of the respondent Police, for the offences punishable under Section 420 of IPC in Crime No.29 of 2023, seeks anticipatory bail.

2. The petitioner/A2 is the brother of A1. It is the contention of the learned counsel for the petitioner that A1 and A3 had been taken into custody and later, they had been granted bail under Section 167(2) of Cr.P.C.

3. The case of the prosecution is that the accused persons had issued what may be called a Deepavali fund and had collected a sum of Rs.76,30,500/- from innocent depositors/ subscribers and have not returned back the amounts.

4. The learned counsel for the petitioner stated that it was A1 who had committed the offence and this petitioner had been implicated only because he is the brother of A1. It is also stated that some condition could be imposed for grant of anticipatory bail.

5. But when the argument is that the petitioner had not received any amount, it would not be appropriate for this Court to impose any condition. The respondent will have to necessarily do investigation on who had received



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the amounts and on the money trail as to where and how the amounts collected have been deposited or parked.

6.In view of all these facts, I am not inclined to grant anticipatory bail to the petitioner.

7.Hence, this Criminal Original Petition is dismissed.

29.01.2024

vkr

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