



CRL OP(MD). No.1506 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Syed Ibrahim @ Seiyathu Ibrahim

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Economic Offences Wing,
Ramanathapuram,
Ramanathapuram District.
Crime No.10 of 2023.

... Respondent/Complainant

For Petitioner : Mr.P.Gunasekaran, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.10 of 2023, for the offence punishable under Sections 406 and 420 IPC, has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioner has run a chit fund and the defacto complainant has deposited a sum of Rs.8,00,000/- in the chit fund company.



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Subsequently, the petitioner has not returned the amount. Hence, the case.

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3.The learned counsel appearing for the petitioner submits that sixty three customers have not returned their dues to the petitioner's chit fund and therefore, the petitioner could not run the chit fund effectively. The petitioner has also furnished the details of the customers to the respondent police. He further submits that the petitioner is ready to settle the amount to the depositors and he is also ready to co-operate with the enquiry. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The Investigation Officer has filed the report stating as follows:

"10. I respectfully submit that 9 copies of purchase documents in the name of petitioner / Accused and 1 copy of purchase documents in the name of his wife were handed over to the Revenue Divisional Officer, on 06.03.2024 and 27.03.2024 for further action.

11.I respectfully submit that guide line values have been obtained from the concerned sub register's offices and handed over to the Revenue Divisional Officer, Ramanathapuram for fixing the base price and for public auctioning all 10 immovable properties.

12.I respectfully submit that out of 10-properties 4- properties are buildings, a letter was sent to Assistant Executive Engineer, PWD



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(Building and constructions maintenance Division), Muthukulathur on 12.02.2024 and 15.05.2024 asking building valuation certificate of the 4 buildings. Accordingly the 4 Buildings have been calibrated by the concerned Assistant Executive Engineer on 21.05.2024, 23.05.2024 and 25.05.2024

13. I respectfully submit that the Letters were sent to the concerned Assistant Executive Engineer on 29.05.2024 and 05.06.2024 for want of the value certificate for the above 4 calibrated buildings as early as possible. A letter was also sent to the Executive Engineer, Ramanathapuram on 05.06.2024. For the same reason and I have personally met the Revenue Divisional Officer, Ramanathapuram on 03.05.2024 and 20.05.2024 to expedite the Public auction process. Subsequently, the Revenue Divisional Officer, Ramanathapuram also sent the letter to the concerned Assistant Executive Engineer, PWD (Building and constructions maintenance Division), Muthukulathur on 16.05.2024 and 31 05.2024 asking for the building valuation certificate. He also sent the letters to the Executive Engineer, PWD (Building and constructions maintenance Division), Ramanathapuram on 06.06 2024. But due the Lack of approved maps obtained from the Local authority where the 4-buildings are located and



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as the officer preparing the building map as currently on election duty, the concerned Assistant Executive Engineer, requested one week time to complete the work and provide the building valuation certificate, sent letter to the Revenue Divisional Officer, Ramanathapuram on 05.06.2024.

14. 1 respectfully submit that the respondent will take further action through the Revenue Divisional Officer, Ramanathapuram to fix the base price for the 10 assets with above 4 buildings on receipt of the valuation certificate, fix the date for public auction and issue notification in the daily news papers."

5. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous case is pending as against the petitioner. With regard to the shopping complex, the petitioner has only 1/9th share in it. Therefore, the complex cannot be sold by the petitioner.

6.The learned Counsel for the petitioner submits that the petitioner's sister-in-law has also agreed to sell her share in the shopping complex and help the petitioner.

7. Considering the facts and circumstances of the case and also considering that the petitioner is ready to co-operate with the investigation, this Court is inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is ordered and the petitioner is



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ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate on condition that

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Special District Judge, TANPID Act Cases, Madurai

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am for interrogation, until the investigation is over. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE SPECIAL DISTRICT JUDGE, TANPID ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE, ECONOMIC OFFENCES WING,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-6511[I] dated 14/06/2024)

ORDER

IN

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Date :12/06/2024

RS/GS/SAR-(20.06.2024) 6P 5C

Madurai Bench of Madras High Court is issuing
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