



CRL OP(MD) No.4223 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Nineteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4223 of 2024

M.VIGNESH

... PETITIONER / ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
NACHIYARKOIL POLICE STATION,
THANJAVUR DISTRICT.
(INVESTIGATION BY THANJAVUR E.O.W)
(CRIME NO.757/2023)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.REKHA.N, Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.757/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for



CRL OP(MD) No.4223 of 2024

the alleged offence under Sections 406, 420, 12-B of IPC and Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, 3, 5, 21(1), 21(2), 21(3), 23, 25 of the Banning of Unregulated Deposit Schemes Act, 2019 in Crime No.757 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioner introduced the A1 to the defacto complainant for depositing some amount into Sai Crypto Currency at Kumbakonam. On believing the words of the petitioner and the A1, the defacto complainant had deposited a sum of Rs.81,15,000/- in the said company. Thereafter, the did not refund the deposit and they absconded. The petitioner is one of the shareholder of the said company. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not canvass the depositors and receive any money from the public. He has been falsely implicated in this case. Further, the co-accused namely A1, A3, A5 and A5 granted bail by the concerned trial Court. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the



CRL OP(MD) No.4223 of 2024

fact that the co-accused was enlarged on bail by the concerned Court, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Court under the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner shall report before the respondent Police daily at 10.30 a.m., for the period of two weeks and thereafter, he shall appear before the respondent Police



CRL OP(MD) No.4223 of 2024

as and when required;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/03/2024

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/04 /2024
Sub-Assistant Registrar (C.S.)
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE SPECIAL JUDGE
UNDER THE TAMIL NADU PROTECTION OF INTERESTS
OF DEPOSITORS (IN FINANCIAL ESTABLISHMENTS)
ACT, 1997, MADURAI.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD) No.4223 of 2024

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- 2 THE INSPECTOR OF POLICE
NACHIYARKOIL POLICE STATION,
THANJAVUR DISTRICT.
(INVESTIGATION BY THANJAVUR E.O.W)
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.NAGALAKSHMI, Advocate (SR-3362[I] dated 19/03/2024)

ORDER
IN
CRL OP(MD) No.4223 of 2024
Date :19/03/2024

PKP/JGB/SAR /02.04.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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