



CRL OP(MD). No.6524 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

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Maliyamaan,

... Petitioner/ Accused No.3

Vs

The State represented by
The Inspector of Police,
Economic Offences Wing,
Trichy.
Cr.No.3/2023.

... Respondent/Complainant

For Petitioner : M/s.Anbarasu.D, Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

For Defacto- : Mr.A.Kumar, Advocate
complainant

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

PRAYER :-

For Anticipatory Bail in Crime No. 3 of 2023 on the file of the respondent Police.



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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.3 of 2023, for the offence punishable under Sections 406, 420, 120 B IPC and Section 5 of Tamil Nadu Protection of Depositors (In Financial Establishment Act 1997), has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the accused have advised the defacto complainant to deposit some amount in stock market and he will get more money in return. Believing the same, the defacto complainant has also given a sum of Rs.21,67,900/- to the first and second accused. The accused did not return any amount. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner has given three cheques bearing Nos.533276,



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533273 and 533272 for a sum of Rs.25,00,000/-, Rs.50,00,000/- and Rs.50,00,000/- respectively, to the first accused. The transaction, which was done between the first accused and the petitioner is different from the transaction between the defacto-complainant and the accused Nos.1 and 2.

5.The Investigation Officer reported that a sum of Rs.5,17,800/- has been transferred from the account of the first accused to the petitioner. Out of which, Rs.4,50,000/- has been returned by the petitioner and the remaining sum of Rs.67,800/- has to be paid by the petitioner to the first accused. The first accused has also transferred another sum of Rs.9,67,000/- to the account of the petitioner's relative by name one Vetriselvan.

6. Considering the facts and circumstances of the case and also considering that there is no specific overt act as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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



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(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 Judge, TNPID Court, 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 once in a week at 10.30 am until further orders for interrogation. 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.

LR



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TO
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- 1 THE SPECIAL JUDGE,
TNPID COURT, MADURAI.
- 2 THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.D.ANBARASU, Advocate (SR-26743[F] dated 11/06/2024)

ORDER
IN
CRL OP(MD) No.6524 of 2024
Date :11/06/2024

SS/VR/SAR- /18/06/2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023