



CRL OP(MD). No.8761 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8761 of 2024

Umaparvathi,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,  
Economic Offence Wing (E.O.W),  
Tirunelveli,  
Tirunelveli District.  
Crime No.2 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.Karunanidhi, Advocate

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.2 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.02 of 2023, for the offence punishable under Sections 406, 418 and 420 IPC and Section 5 of Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has insisted the defacto complainant to invest in the share market trading and also received a sum of Rs.45,00,000/- from him. However, she has neither invested the amount in share market as promised nor returned the same to him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is the mother of the first accused. The first accused has only received the amount for the purpose of investing the amount in share trading but he has invested the same in the share market. He further submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner has recommended the depositors to pay money to the first accused.

5. Since the transaction has been made between the first accused and the defacto complainant and the petitioner is not an equipped person in conducting share market trading, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of her arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judge 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 Special Court for TANPID Act cases, Madurai District.

(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 as and when



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required for interrogation. She has to co-operate for the investigation.

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(iv) The petitioner shall not misuse the liberty granted to her 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/-  
28/06/2024

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/07/2024  
Sub-Assistant Registrar (CS -I/ II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

LR

TO

1. The Special Court for TANPID Act cases,  
Madurai District.
2. The Inspector of Police,  
Economic Offence Wing (E.O.W),  
Tirunelveli,  
Tirunelveli District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.KARUNANIDHI, Advocate ( SR-7136[I] dated 28/06/2024 )



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ORDER  
IN  
CRL OP(MD) No.8761 of 2024  
Date :28/06/2024

RK/GS (05/07/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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