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Crl.O.P.No.2463 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 02.04.2025

PRONOUNCED ON : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2463 of 2025

Naveen Kumar ... Petitioner/Accused
Vs.

State Rep. by
The Inspector of Police,
E.O.W., Chennai.
[Cr.No.10 of 2024] ... Respondent/Complainant

Ramani ... Intervenor/Defacto complainant
*[Defacto complainant permitted to intervene, as per the orders of this Court [SMJ]
dated 15.04.2025, made in Crl.M.P.No.5595 of 2025]*

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.10 of 2024, on the file of the respondent police.

For Petitioner : Mr.R.C.Paul Kanagaraj
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)
For Intervenor : Mr.A.Nilesh Ram

ORDER

The petitioner/A2, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 409, 420, 34 and 120(b) of IPC and Section 5 of TNPID Act, 1997 in Crime No.10 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner along with the other accused had induced the complainant and other persons to invest money in the company by name M/s.V4V Enterprises, on the promise of providing high returns; that the accused represented to the defacto complainant and others that they would earn money by purchasing gold from Cameroon and selling it at Dubai; and that thereafter, the accused did not pay the money due to the defacto complainant or to the other victims and thus, committed the aforesaid offences.

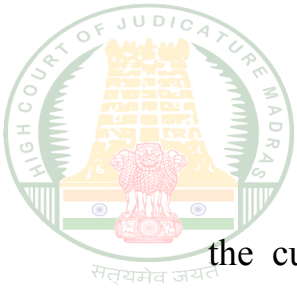
3. The learned counsel for the petitioner would submit that the petitioner has gone to Cameroon for the purpose of business; that he has nothing to do with the alleged cheating committed by the members of the company; that since he came to know of the look out circular issued against him, he approached this Court and pursuant to the earlier directions of this Court, he had appeared before the respondent regularly;



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that in any case, since the co-accused were arrested and released on bail,

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the custodial interrogation of the petitioner may not be required and hence, prayed for anticipatory bail.

4. (i) The learned Government Advocate (Crl.Side) however vehemently, opposed the grant of anticipatory bail and submitted that the petitioner along with others had cheated a sum of Rs.8 Crores from 500 investors; that the petitioner played a major role in the said company; that on coming to know of the registration of the case, the petitioner fled from the country and only after a look out circular was issued, the petitioner has approached this Court and filed this anticipatory bail; and that the petitioner is also involved in the offence of cheating and only if he is interrogated in custody, the respondent would be able to unearth the truth.

(ii) The learned Government Advocate (Crl.Side) further submitted that this petitioner fled to foreign country and also has cheated a few person in Cameroon.

5. This Court has carefully considered the rival submissions and



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perused the available records.

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6. The counter affidavit of the respondent reveals that the petitioner had played an active role in the company which had promised high returns to investors. The counter further states as to why the petitioner's custodial interrogation is required. The other accused who are involved in the company were arrested and released on bail.

7. Considering the nature of the allegations against this petitioner and the investigation conducted by the petitioner so far, this Court cannot at this stage hold that the custodial interrogation is not required. Accordingly, this Court is not inclined to grant anticipatory bail to the petitioner and this Criminal Original Petition stands dismissed.

15.04.2025

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SUNDER MOHAN., J.

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To

1.The The Inspector of Police,
E.O.W., Chennai.

2. The Public Prosecutor,
High Court of Madras.

Pre-delivery order in
Crl.O.P.No.2463 of 2025

15.04.2025