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CRL OP No. 4536 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-03-2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL OP No. 4536 of 2025**

Sivakumar (a3)  
S/O.VENKATESAN, No. 3/43-1,  
Neruppukuttai Village,  
Thottadimmanahalli Post,  
Denkanikottai Taluk, Krishnagiri  
District

Petitioner(s)

Vs

State Rep. By, The Inspector Of Police,  
Mathigiri Police Station, Krishnagiri  
District. Crime No.4/2023

Respondent(s)

**CRL OP No. 4536 of 2025**

**PRAYER**

To enlarge him on bail in the event of his arrest in Crime No.4/2023 pending investigation on the file of the respondent police

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For Petitioner(s): Mr. A. Balamurugan

For Respondent(s): Mr. S. Santhosh,  
Government Advocate

**ORDER**

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The case of the prosecution is that the defacto complainant lodged a complaint stating that one Renuka, Kavitha and the petitioner herein were running a chit fund in the name of Sri Thenandal Chits and they have collected amount to the tune of Rs.9,00,000/- from the defacto complainant and thereafter cheated the defacto complainant by not repaying the chit amount paid by him. It is also alleged that the registration of the chit company was cancelled immediately after three months of its registration and the accused persons playing fraud upon the subscribers, made them to join the chit, thereby collected a sum of Rs.74,00,000/- from nearly 50 subscribers. Hence the complaint.

2. This is the second anticipatory bail petition before this Court. The earlier anticipatory bail petition in Crl. O.P. No. 17574 of 2024 was dismissed on 26.07.2024 by Hon'ble Mrs.Justice T.V.Thamilselvi and this anticipatory bail petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl. O.P. No. 31787 of 2024 on 04.03.2025.



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3. Learned counsel for the petitioner would submit that though the earlier anticipatory bail petition was dismissed, A1 and A2 were subsequently released on bail.

4. Learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that this is the second anticipatory bail petition, there is no change in circumstances and still investigation is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioner/A3.

5. This Court while dismissing the first anticipatory bail petition passed the following orders:

*“4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner by stating that the petitioner along with other accused persons cheated the defacto complainant to the tune of Rs.9,00,000/- by way of conducting chit. He also further submitted that the petitioner has also involved in collecting money from the defacto complainant and from other subscribers and thereby collected a huge sum of money nearly about Rs.74,00,000/- from 50 subscribers, hence submitted a detailed custodial investigation is needed in this case.*

*5. Considering the submissions made on both sides, perusal of records, facts and circumstances of the case and also seeing the conduct of the petitioner, who colluded with other accused*



*persons and collected huge money from many persons by way of chit, a detailed investigation is needed, hence this Court is not inclined to grant anticipatory bail to the petitioner.”*

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6. This Court is of the view that there is no change in circumstances and hence, is not inclined to entertain this second anticipatory bail petition.

7. Hence, the anticipatory bail petition is dismissed.

**17-03-2025**

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To  
1.State Rep. By, The Inspector Of  
Police,  
Mathigiri Police Station, Krishnagiri  
District. Crime No.4/2023



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**SUNDER MOHAN, J.**

AT

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