



Crl.OP.No.13133 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.13133 of 2024

and

Crl.MP.No.11499 of 2024

Jothimani

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.
(Cr.No.260 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of
her arrest pending investigation in Cr.No.260 of 2023 on the file of the
Inspector of Police, Pochampalli Police Station, Krishnagiri District.

For Petitioner : Mr.T.L.Thirumalaisamy

For Intervenors : Mr.R.Megha

for Mr.L.Munisamy

in Crl.MP.Nos.11506 and 12030 of 2024

& Crl.MP.Nos.7465 and 16802 of 2025

: Mr.M.Jaikumar

in Crl.MP.Nos.11500 and 12837 of 2024

For Respondent : Mr.S.Udaya Kumar,

Government Advocate (Crl.Side)



ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 406 and 420 of IPC in Cr.No.260 of 2023 on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that he was running an unregistered chit fund, collected money from the public, and defaulted in repaying the customers to the tune of Rs.9.65crores involving 185 victims. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner had earlier conducted the chit fund and promptly refunded the amount to each of the chit holders. However, during the COVID-19 pandemic, there was a default by the loan borrowers, which resulted in non-payment of the chit amounts to several persons. Hence, a complaint came to be lodged. According to the petitioner, as per their accounts, the total defaulted amount is Rs.2.62crores, out of which Rs.1.21crores has already been repaid, and only the balance remains to be paid. He further submitted that the police have already frozen Rs.4.01crores in the bank account, which, according to him, is sufficient to settle all the dues of the victims.



Hence, he prayed that anticipatory bail may be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that earlier, the local police conducted an investigation, during which only 165 victims had lodged complaints. At present, 185 victims have come forward, claiming a total amount of Rs.9.65crores. It is stated that Rs.4crores has been frozen in the bank account. This Court had earlier directed the District Mediation Centre, Dharmapuri, to conduct mediation and facilitate settlement of the monetary dispute after granting interim bail to the petitioner. However, no payment was made, and the investigation has since been transferred to the Economic Offences Wing (**EOW**), Dharmapuri by an order dated 19.07.2024. Thereafter, the Superintendent of Police, redirected the investigation to the Superintendent of Police, Krishnagiri District on the point of territorial jurisdiction. No settlement has been reached. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. The learned counsel appearing for the Intervenors in



Crl.MP.Nos.11506 and 12030 of 2024 & Crl.MP.Nos.7465 and 16802 of 2025 and Crl.MP.Nos.11500 and 12837 of 2024 submitted that no amount has been paid to them so far, though they participated in the mediation process, which also ended in failure. Hence, they have opposed the grant of anticipatory bail to the petitioner.

6. I have considered the rival submissions and perused the records.

7. A perusal of the materials available on record reveals that, according to the prosecution, 185 victims have been cheated. Though it is contended by the petitioner that many of the claims are bogus, it is an admitted fact that a huge amount has been defaulted by the petitioner, and so far, no one has been arrested in this case. Though it is stated that certain amounts have been frozen in the bank account, the process of distribution has not yet commenced. It is further alleged that a sum of Rs.5.65crores is still to be recovered from the petitioner.

8. Considering the above facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner.

9. Accordingly, this Criminal Original Petition is dismissed.



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Consequently, the connected miscellaneous petition is closed.

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28.10.2025

Vv

To

1. The Judicial Magistrate, Pochampalli.
2. The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

K.RAJASEKAR, J.



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