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Crl.O.P.No.120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 120 of 2025

1.M.Nanthagopal

2.N.Suresh

Petitioner(s)

Vs

The State Represented By,

The Inspector of Police,
Economic Offences Wing,

Kancheepuram District.

Crime No.4 of 2021

Respondent(s)

For Petitioner(s):

Mr.S.Vinoth Kumar

For Respondent(s):

Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.4 of 2021 registered for the offences punishable under Sections 420, 406, 120(B) of Indian Penal Code, 1860 and Section 5 of the Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act, 1997, the present petition has been filed seeking anticipatory bail.



Crl.O.P.No.120 of 2025

WEB COPY

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this court. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail is that, the petitioners along with other accused induced the defacto complainant and others to deposit a sum of Rs.2,000/- per month to the company account and for which, they promised to return with high rate of interest. On believing the same, the defacto complainant deposited a total sum of Rs.1,44,000/- and thereby, the accused had cheated about 63 victims to the tune of Rs.6 Crores. He would submit that the final report has been filed on 27.12.2024 through E-filing, pending on the file of the TNPID Court.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail



Crl.O.P.No.120 of 2025

to the petitioners with certain conditions.

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court No.1, Kancheepuram**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the TNPID Court on all working days at 10.30 a.m., for a period of two weeks and thereafter, on the dates to be fixed by the learned Trial Judge;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;



Crl.O.P.No.120 of 2025

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action

A.D.JAGADISH CHANDIRA, J.

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against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2025

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Crl.O.P.No.120 of 2025



WEB COPY



Crl.O.P.No.120 of 2025

22.01.2025