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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 25/06/2025

Pronounced on : 05.08.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.5339 of 2025

Amjath Khan Ghori (M-46)
S/o.Mohamed Ismail Ghori ..Petitioner/ Accused No.2

Vs

The State
Rep by the Deputy Superintendent of Police,
Economic Offence Wing II,
Madurai
(in Crime No.4 of 2011) ... Respondent/Complainant

For Petitioner : Mr.S.A.S.Alaudeen
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :- For Bail in C.C.Nos.05 of 2019 on the file of the learned Additional District Judge No.II for CBI Cases, Madurai.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 01.07.2024 for the offences punishable under Sections 406, 420, 506(II) of IPC and Section 5 of Tamil Nadu Protection of Interests of Depositors Act (Financial Establishment) Act, 1997, in C.C.No.05 of 2019 on the file of the Additional District Judge No.II for CBI Case, Madurai, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons have started a financial institution in the name of Green Life Finance and published propaganda on various plan schemes, by believing the said schemes various depositors deposited their deposit in the said Company, thereafter, the amounts were not returned to the depositors. Further, in this case, the defacto complainant had invested a sum of Rs.6,50,000/- however, the company returned only Rs.35,000/- to the defacto complainant, when the defacto complainant requested the accused to return back his deposited amount, he was criminally

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intimidated. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he is no way connected as alleged by the prosecution. He further submitted that after enlarged on bail, the petitioner has appeared regularly before the trial Court and co-operated with the enquriy, and due to some unavoidable situation, he has not given instruction to his counsel and then the NBW was issued by the trial Court against the petitioner on 10.01.2020 and executed on 01.07.2024. Now, he is in judicial custody. He further submitted that the investigation has been completed and the charge sheet has also been filed in C.C.No.5 of 2019. Further, he submitted that the properties stands in the name of the petitioner and other partners were seized by the respondent police. Further, the learned counsel for the petitioner submitted that there is no previous case against the petitioner except the similar nature of case in C.C.Nos.6 & 7 of 2019 and a case in Crime No.35 of 2010 at TANPID Court, Coimbatore. He further submitted that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by the this Court. Hence, he seeks bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) submitted that the petitioner is arrayed as A2 and above 250 depositors were cheated by the petitioner for a sum of Rs.2,77,71,900/- and he was detained under Goondas Act and the same was revoked. He further submitted that the petitioner never co-operate for the enquiry and there are five previous cases pending against the petitioner in various districts and rest of the accused are close relatives. While, NBW was pending, another FIR was registered in Crime No.20 of 2018 in Thanjavur District. He further submitted that if the petitioner is released on bail, he may abscond. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the fact that huge amounts of money is involved and that the petitioner had cheated under the guise of various schemes and also taking into consideration of the gravity of the offence, enlarging the petitioner on bail at this point of time, there is likelihood of the petitioner indulging in activities which would be prejudicial for trial of the case, this Court is not inclined to grant bail to the petitioner.

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6. In the result, this Criminal Original Petition is dismissed. No costs.

(P V M J)
05.08.2025

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To

1. The learned Additional District Judge No.II,
   CBI Cases, Madurai.
   Sathur.

2. The Deputy Superintendent of Police,
   Economic Offence Wing II,
   Madurai
3. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

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P. VADAMALAI,J.

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ORDER
IN
CRL OP(MD) No.5339 of 2025

Date : 05/08/2025

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