



CRL OP(MD). No.15408 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.15408 of 2025

Esthakki

... Petitioner/ Accused No. 6

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Economic Offence Wing,
Nagercoil.
(Crime No.1 of 2025)

... Respondent/Complainant

For Petitioner : Mr.C.T.Perumal

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.1 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 120(b) of I.P.C., and Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, in Crime No.1 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant deposited a sum of Rs.36,60,000/- on various occasions in Eustackiar Makkal Nidhi Limited (A-1), believing the representations made by A-2, A-5 and A-9, who are Directors and Manager respectively, that A-1 Nidhi Limited was providing higher interest on deposits. However, only a sum of Rs.2,50,000/- was repaid, and the accused persons allegedly misappropriated the remaining amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail



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to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the defacto complainant deposited Rs.36,60,000/- with A-1 based on assurances of high interest, but only Rs.2,50,000/- was repaid and the the balance amount was allegedly misappropriated. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. The petitioner was directed to deposit all documents standing in the petitioner's name and his wife's name and the petitioner has submitted that he is willing to deposit the same. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court, TNPID Act Court, Madurai, on



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condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders. The petitioner shall further deposit all documents standing in the petitioner's name and his wife's name.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the



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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]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
13.11.2025

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To

1. The Special Court, TNPID Act Court, Madurai.
2. The Inspector of Police,
Economic Offence Wing,
Nagercoil.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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