

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17506 of 2018

M.RAVIKUMAR, [PETITIONER / ACCUSED]

vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
R-8 VADAPALANI POLICE STATION,
CHNENAI-600 026.
CR.NO.232 OF 2018.

O.R.MURUGADASS [INTERVENER /DEFACTO COMPLAINANT]

[ORDERED AS PER ORDER OF THIS COURT DATED 09/08/2018 IN
CRL.MP.9317/2018 IN CRL.O.P.NO.17506/2018]

For Petitioner : M/S.P.ARASAN Advocate

For Respondent : MR. R.SURYA PRAKASH, Govt. Advocate

For Intervener : M/S.MURUGESAN, Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested on 25.06.2018 and remanded to judicial custody for the offence under Sections 406, 420 and 506 (ii) of I.P.C. in Cr.No.232 of 2018 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that there was business transaction between the petitioner and the defacto complainant and the petitioner received a sum of Rs.43,70,000/- from the defacto complainant by giving false promise of getting loan from the bank and cheated him. The defacto complainant paid the money by way of bank transfer and by way of cash, however, the petitioner neither arranged for the loan nor repaid the said amount.

3.The learned counsel appearing for the petitioner would submit that the petitioner received only a sum of Rs.8,85,000/- for arranging loan to the petitioner.

4.The learned counsel appearing for the intervenor would submit that there is an agreement for receiving the disputed amount and since the petitioner not kept up his promise for arranging the loan, the defacto complainant filed a complaint.

5.The learned Additional Public Prosecutor would submit that investigation is still pending.

6.Since the amount involved in this case is more than Rs.43 Lakhs and considering the gravity of the offence committed by the petitioner for the purpose of arranging loan he received huge amount from the defacto complainant, proper investigation should be carried out by the Investigating Officer to find out the culprits. Accordingly, I am not inclined to grant bail.

7.The criminal original petition is accordingly dismissed.

-sd/-
07/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE OFFICER INCHARGE,
SUB-JAIL, SAIDAPET.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
R-8 VADAPALANI POLICE STATION,
CHENNAI.

+2 CC to M/S.P.ARASAN Advocate on payment of necessary charges
SR.NO.14604

CRL OP.17506/2018

Date :07/08/2018