

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION NOS.29285 & 29396 of 2018
IN

P.R.C.NO.11 OF 2018

[On the file of the Learned Judicial Magistrate-II, At
Pondicherry IN CRL.OP.NO.29396 OF 2018]

IRFAN RAHMAN

[PETITIONER / ACCUSED
IN CRL.OP.NO.29285 OF 2018]

PETER

[PETITIONER / ACCUSED
IN CRL.OP.NO.29396 OF 2018]

Vs

STATE REP. BY ITS [RESPONDENT
STATION HOUSE OFFICER, IN BOTH THE PETITIONS]
CBCID POLICE STATION,
PUDUCHERRY.
CR. NO. 5 OF 2018.

For Petitioner : M/S.G.PRASANNA Advocate
[IN CRL.OP.NO.29285 OF 2018]

For Petitioner : M/S.E.ANBARASAN Advocate
[IN CRL.OP.NO.29396 OF 2018]

For Respondent : MR.BHARATHA CHAKRAVARTHY PUBLIC PROSECUTOR
[PONDICHERRY] [IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners were arrested on 25.06.2018 and 23.06.2018 respectively for the offences punishable under Sections 120-B, 489-A, 489-B, 489-D, 379, 406, 409, 465, 468, 471 of IPC and Section 66-C and D of Information Technology Act, 2000 r/w 34 of IPC, in Crime No.5 of 2018, on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that these petitioners along with the other accused have prepared fake ATM Cards with the help of Magnetic Stripe Reader and withdrawn the amount without the knowledge of original account holders of ATM Cards. Hence, a complaint is registered as against these petitioners.

3. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. He would further submit that the co-accused had already been granted bail by this Court in Crl.O.P.Nos.27417 and 27291 of 2018 dated 11.12.2018.

4. The learned Public Prosecutor for Puducherry appearing for the State would submit that, totally there are 642 fake ATM cards involved in this case and as of now, only two cards were identified and the accused have to be investigated for the remaining 640 cards. These are the second bail petitions. The Criminal Original Petitions in Crl.O.P.Nos.19698 and 25176 of 2018 dated 10.08.2018 have been dismissed on the ground that the investigation is not yet completed.

5. Considering the gravity of the offence committed by the petitioners and also considering the fact that the investigation is not yet completed and there is no change of circumstances, I am not inclined to grant bail to the petitioners.

6. Accordingly, these Criminal Original Petitions stand dismissed.

-sd/-
17/12/2018

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.

WEB COPY

TO

1 THE PUBLIC PROSECUTOR
PUDUCHERRY.

2 THE STATION HOUSE OFFICER,
CBCID POLICE STATION,
PUDUCHERRY.

3 THE SUPERINTENDENT,
CENTRAL PRISON, KALAPET,
PUDUCHERYR.

+1CC to M/S.E.ANBARASAN Advocate on payment of necessary charges
SR NO.24344

+2CC to PUBLIC PROSECUTOR FOR PUDUCHERRY SR NOS.24260, 24261

CRL OP.29285 & 29396 OF 2018

Date :17/12/2018

MK:31/12/2018



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