



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fifteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4096 of 2018

SURESH,

... PETITIONER/ACCUSED NO.1

Vs

STATE, REP.BY
INSPECTOR OF POLICE,
AIRPORT POLICE STATION,
TRICHY CITY.
(CR.NO.48 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.KARUNANITHI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused no.1, was arrested and remanded to judicial custody on 29.01.2018 for the offences punishable under Sections 406,419,420,294(b) and 506(i) IPC, in Crime No.48 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused are said to have threatened the defacto complainant with an intention to grab the properties of defacto complainant abused her in filthy language. Further, both the petitioner and his wife had mis-appropriated a sum of Rs.4,50,000/- in the defacto complainant's account by using Cheque book and ATM Card. Thus, on complaint, a case has been registered against the petitioner for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 29.01.2018.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that investigation of the case is under progress.



5.The submissions made by the learned counsel appearing on either side are considered.

6.It is alleged, during the time of occurrence, the petitioner, being a friend of the husband of the defacto complainant, came to Trichy and live with the defacto complainant, due to the death of the defacto complainant's husband. During that time, he took cheque book and ATM Card from the custody of the defacto complainant and mis-appropriated a sum of Rs.4,50,000/-. Moreover, he pledged 25 sovereigns of gold jewels, which is also belongs to the defacto complainant.

7. Considering the nature of offence committed by the petitioner and that the mis-appropriated properties are not yet recovered, this Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
15/03/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION, TRICHY CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

GJM/RR/CSL/SAR-4-21.3.18-2P-4C

ORDER
IN
CRL OP(MD) No.4096 of 2018
Date :15/03/2018