

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.23440 of 2019

SUSEEL RAJ KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
AMBATTUR ESTATE POLICE STATION,
TIRUVALLUR DISTRICT.

For Petitioner : G.MAGESHKUMAR Advocate

For Respondent : MR.S.THANKIRA Govt. Advocate (CrI. Side)

For Intervener : M/S.D.CHANDRA SEKAR Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.06.2019 at the hands of the respondent police for the offences punishable under Sections 420, 465, 468, 471, 474 of I.P.C. in Crime No.459 of 2019, seeks bail.

2. The case of the prosecution is that the petitioner had received a sum of Rs.11,00,000/- from the defacto complainant and his friend for getting allotment in respect of Tamil Nadu Housing Board plots for low income group and subsequently, he has also issued fake receipts for the payment of through Whatsapp. Thereafter, upon verification, it was found that no such amount was deposited with the TNHB. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 19.06.2019 and incarcerated for the past 41 days. The first bail application in CrI.M.P.No.4064 of 2019, dated 22.08.2019 was dismissed by the learned Principal Sessions Judge, Thiruvallur District. He would further submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and hence, he prayed for grant of bail to the petitioner.

4. The learned counsel appearing for the petitioner
<http://www.mca.gov.in> would submit that the main accused is

absconding till date and if the petitioner is enlarged on bail, he is likely to tamper the witnesses and hamper the progress of the investigation, therefore, he opposed for grant of bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner is arraigned as A1. The petitioner had received total amount of Rs.11,00,000/- from the defacto complainant and his friend for getting allotment in respect of Tamil Nadu Housing Board plots for low income group and thereafter, the petitioner had issued fake receipts for the payment of through Whatsapp. Following the same, upon verification, it was found that no such amount was deposited with the TNHB. The co-accused still absconding and investigation is also in preliminary stage. Hence, he vehemently opposed for grant of bail to the petitioner.

6. Taking into consideration the allegations and also the bad antecedent of the petitioner and the fact that the case is in the initial stage of the investigation and that the custodial interrogation of the petitioner is essential, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

05/09/2019

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 INSPECTOR OF POLICE,
AMBATTUR ESTATE POLICE STATION,
TIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

CC to G.MAGESHKUMAR Advocate on payment of necessary charges

CRL OP.23440/2019

Date :05/09/2019

RD 04/10/2019