



WEB COPY

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

Date : 07/08/2019

PRESENT

The Hon'ble Mr. Justice P. RAJAMANICKAM

CRL OP (MD) . No.10826 of 2019

Kotresha

... Petitioner/Accused No.2

Vs

State Rep., by
The Inspector of Police,
District Crime Branch,
Pudukkottai District.
(Crime No. 02 of 2019).

... Respondent/Complainant

Basheer Mohamed

... Intervener/ Defacto Complainant

For Petitioner : M/s.A.Arul Jenifer,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

For Intervener : Mr.M.Seenisulthan

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

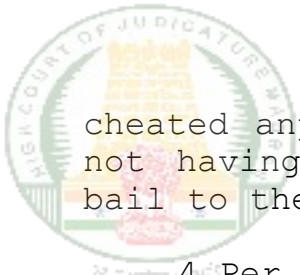
For Bail in Crime No. 02 of 2019 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/Accused seeking
bail for the alleged offence punishable under Sections 120(b), 406
and 420 of IPC in Crime No.02 of 2019

2. Heard both sides.

3. The learned counsel appearing for the petitioner has
submitted that the name of the petitioner has not been mentioned in
the F.I.R. He further submitted that the petitioner is an innocent
person and he has not committed any offence as alleged by the
prosecution. He further submitted that the petitioner has not



cheated any amount from the defacto complainant. The petitioner is not having any bad antecedent and hence, he prayed for grant of bail to the petitioner.

4. Per contra, the learned counsel appearing for the intervener/defacto complainant has submitted that the petitioner hailed from Karnataka. He further submitted that the petitioner and other accused persons have cheated the defacto complainant to the tune of Rs.44,00,000/- by supplying fake gold coins. Hence, he strongly opposed this petition.

5. The learned Additional Public Prosecutor appearing for the respondent police has submitted that the investigation is still pending. He further submitted that the petitioner is having 38 previous cases and he is a habitual offender. Hence, he opposed this petition.

6. Taking into consideration of the allegations made against the petitioner and also the huge amount of Rs.44,00,000/- is involved in this case and also the submission made by the learned Additional Public Prosecutor that already 38 cases are pending including attempted to commit murder, counter fighting, theft and murder cases, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition is dismissed.

Sd/-

07/08/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
PUDUKKOTTAI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s. A. ARUL JENIFER, Advocate (SR-13379[I] dated 09/08/2019)

ORDER

IN

CRL OP (MD) No.10826 of 2019

Date : 07/08/2019