

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 7208 of 2020

K.Selvakumar

....Petitioner/Accused

/vs/

The Inspector of Police,
Central Crime Branch,
Team-I EDF-II, Vepery,
Chennai-600 007.

....Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner/accused on bail in respect of the offences alleged in the above Crime No.82/2020 on the file of the Respondent / Police.

For Petitioner : Mr. S.Ruban Prabu

For Respondent : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 13.02.2020 for the offences punishable under Sections 408 420, 467, 468 and 471 IPC. of I.P.C. in Crime No.82/2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that one M/s.New Generation Media Corporation Private Limited has established a concern namely Fourth Dimension Media Solutions Private Limited. Their business is to collect the dues for and on behalf of M/s.New Generation Media Corporation Private Limited. The task of collecting funds is vested with the Fourth Dimension Media Solutions Private Limited and consequently, the petitioner did not return the amount collected from the depositors. Hence, this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case as an accused. No offence is made out against the petitioner as alleged by the prosecution. Further, he would submit that the petitioner was arrested and remanded to judicial custody on 13.02.2020. Hence, he seeks bail for the petitioner.

4.The learned Additional Public Prosecutor (crl.side) would submit that the petitioner in the name and style of M/s.New Generation Media Corporation Private Limited established a concern namely, Fourth Dimension Media Solutions Private Limited, thereby collected Rs.1.80 crores from 54 customers of the defacto complainant. After collecting the amount, the petitioner did not deposit the same to the defacto complainant, thereby misappropriated the said entire amount. Even till today nothing has been recovered from the petitioner. He would also submit that the investigation is still pending and hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that on behalf of the defacto complainant the petitioner had collected a sum of Rs.1.80 crores from 54 customers of the defacto complainant and he did not return back the said amount to the defacto complainant. Investigation is still pending and no recovery is made from the petitioner. Therefore, this Court is not inclined to grant bail to the petitioner and hence, the petition stands dismissed.

-sd/-

11/05/2020

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 PRINCIPAL SESSIONS JUDGE
AT CHENNAI

2 THE JUDICIAL MAGISTRATE,
CCB & CBCID COURT AT EGMORE, सत्यमेव जयते
CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH, TEAM -I,
EDF-II, VEPERY,
CHENNAI-7

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5 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAI, CHENNAI

CC to M/S.S.RUBAN PRABU Advocate on payment of necessary
charges

CRL OP.7208/2020

Date :11/05/2020

RVR 04/08/2020



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