

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.11259 of 2020

Kamesh @ Ramesh

... Petitioner/4th Accused

Vs.

State rep. by its
The Inspector of Police,
Walajapet Police Station,
Vellore.

Crime No.683 of 2020

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner/accused herein on bail in the event of arrest in Crime No.683 of 2020 on the file of the respondent/complainant ie. Inspector of Police, Walajapet Police Station, Vellore.

For Petitioner : Mr.S.Mohan Raj

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420 of IPC and later altered to 120(B) and 420 IPC in Crime No.683 of 2020 on the file of the respondent police, seeks anticipatory bail.

2 The case of the prosecution as per the defacto complainant is that the petitioner along with other accused persons have induced him by saying that if he gives an amount of Rs.20,00,000/- (Rupees Twenty Lakhs only) in the denomination of Rs.500/- and Rs.2000/- notes, they would return Rs.26,00,000/- (Rupees Twenty Six Lakhs only) by way of Rs.100/- denomination notes and believing that, the defacto complainant had arranged the money and handed over to them. At that time, the other accused persons posing themselves as police have come to the place of occurrence in a Sumo vehicle and have taken the amount of Rs.20,00,000/- from the defacto complainant and escaped from the scene of occurrence.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case since he is the brother of the sixth accused. Hence, he prays to grant anticipatory bail to the petitioner.

4 The learned Government Advocate(Crl.Side) appearing for the respondent would submit that there are totally ten accused in this case and in this case A2, A6, A7, A8, A9 & A10 were arrested. He further submitted that the accused persons entered into a conspiracy with an intention to cheat the defacto complainant, have induced the defacto complainant to arrange a sum of Rs.20,00,000/- by way of denominations in Rs.500/-, Rs.2,000/- on the false promise of returning Rs.26,00,000/- in the denomination of Rs.100/- and they asked him to come to the place with the money and other accused posing as policemen took away money. He would submit that the offence has been committed in a planned manner and that though some of the accused have been arrested, the respondent police are unable to recover even a single rupee from the arrested accused. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5 Taking into consideration of the facts and submissions made by the learned counsels, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-
28/07/2020

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 JUDICIAL MAGISTRATE NO.II,
WALAJAPET, VELLORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
VELLORE.

CC to M/S.S.MOHAN RAJ Advocate on payment of necessary
charges

CRL OP.11259/2020

Date :28/07/2020

MK:20/08/2020



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