

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.09.2020

CORAM :

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

Crl.O.P.No.14080 of 2020

M.Rakesh Sharma

... Petitioner

Vs.

The State Rep. by
Inspector of Police
P6 Kodungayur Police Station,
Chennai - 600118.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner/accused on bail pending investigation in Crime No.1001 of 2020 on the file of the respondent.

For Petitioner : Mr. M.Marimahesh

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 26.07.2020 for the offence punishable under Sections 406, 417, 420, 465 IPC in Crime No.1001 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant Mohanraj is that he is an ex-serviceman and he had posted an advertisement for seeking bridegroom for his daughter Priyadarshini in Tamil Matrimony following which, the petitioner had approached him stating that he is working as a Scientist in D.R.D.O., Avadi. and after finding that the horoscopes are compatible, he agreed for the alliance. It was also informed by the petitioner that his father is also a ex-army man and that he is residing at Singapore. Further it was informed by the petitioner over phone that his father would come and fix the marriage after resumption of flight services and during the pendency, the petitioner had received an amount of Rs.5,43,900/- and also 20 Sovereigns of jewels from the daughter of the defacto complainant. Later it was found that the petitioner had posted fake information and thereby cheated the defacto complainant and his daughter. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated

in this case. He would submit that there was dispute between the parties with regard to fixing of marriage and also dowry related issues and thereby, a false complaint has been given against the petitioner. He would further submit that the petitioner has been suffering incarceration from 26.07.2020. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that the petitioner is a con man and he is in the habit of cheating gullible victims who post advertisement in the matrimonial sites by projecting himself as a well educated and well placed person. He would submit that for similar offence a case has been registered in Navalpatti Police Station, Trichy in Crime No.832 of 2020 for offence under Section 420 IPC. He would further submit that the petitioner has similarly cheated almost 30 young women on the false promise of marriage and the investigation is pending. He would submit that since it is concerning the future of women, they are not coming up for giving written complaint.

5. Taking in to consideration the nature of offence and the fact that the petitioner has involved in one previous case of similar nature in Crime No.823 of 2020 pending at Navalpatti Police Station, Trichy and during the course of investigation it has come to light that the petitioner has cheated about 30 young girls, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

16/09/2020

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
P6 KODUNGAIYUR POLICE STATION,
CHENNAI-600 118.

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4 THE OFFICER INCHARGE,
NAVALPATTI POLICE STATION,
TRICHY

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

CRL OP.14080/2020

Date :16/09/2020

RVR 25/09/2020



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