

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16483 of 2020

Sathish K

... Petitioner

Vs.

State rep.by

The Inspector of Police,
Bank Fraud Prevention Wing, Team XI,
Central Crime Branch,
Chennai - 600 007.
(Crime No.342 of 2018)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C., to enlarge the petitioner/accused No.2 on bail pending investigation in Crime No.342 of 2018 on the file of the Inspector of Police, Bank Fraud Prevention Wing, Team XI, Central Crime Branch, Chennai - 600 007.

For Petitioner : Mr.B.Pratap

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

O R D E R

(This case has been heard through Video Conferencing)

The petitioner who was arrested and remanded to judicial custody on 09.09.2020 for the offences punishable under Sections 420, 465, 468, 471 and 34 of IPC in Crime No.342 of 2018 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant, the Branch Manager, Syndicate Bank, Ashok Ngar Branch, Chennai, is that the petitioner along with other accused had created forged documents and by submitting the same to the complainant/bank, availed loan for a sum of Rs.60 lakhs and thereby, cheated the bank. 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 hat the petitioner was arrested on 09.09.2020 and he has been suffering incarceration for more than 40 days. 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 there are totally nine accused in this case and the petitioner is arrayed as A2. The petitioner along with other accused opened a fake account in the name of Abra Motors and had taken vehicle loan of Rs.60 lakhs and thereby, cheated the bank. He would submit that some of the forged documents have been recovered from the petitioner and only two accused have been arrested so far and that the other accused are yet to be arrested.

5. Taking into account the nature of offence and the fact that only two accused have been arrested so far and that the other accused are still absconding, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
22/10/2020

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, PUZHAI,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
BANK FRAUD PREVENTION WING, TEAM-XI,
CENTRAL CRIME BRANCH,
CHENNAI-600 007.

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

CRL OP.16483/2020

Date :22/10/2020

MK:02/11/2020