

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2020

CORAM :

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

CRL.O.P.No.17686 of 2020

M.Buhari

... Petitioner

Vs.

State rep by:-

The Inspector of Police,
City Crime Branch
Coimbatore.
(Crime No.18 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail concerned in Crime No.18 of 2020 pending on the file of the respondent police.

For Petitioner : Ms.Malini George

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

O R D E R

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 10.09.2020 for the offences punishable under Sections 120(B), 408, 420, 477A and 506(ii) of IPC in Crime No.18 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de facto complainant Anandkumar, HR Manager of KCP Engineering is that A1 and A3 were in-charge for purchasing the goods to the Company and that they have conspired with other accused as if they have delivered the goods to the de facto complainant's company and issued cheques and cheated the company to an amount of several crores of rupees. As far as the present petitioner is concerned, the amount transferred to his account is Rs.30,03,496.

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 the first accused had sent certain amounts to the Company and thereafter, the petitioner transferred the amounts to the account of A1 and the balance amount has also been paid

4. The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose the grant of bail stating that the petitioner along with A1 and A2, who are the employees of the de facto complainant's company, entered into criminal conspiracy with other accused and without supplying the goods to the de facto complainant's company, fabricated the documents and thereby, amounts to the tune of several crores belonging to the company were cheated. He would submit that as far as this petitioner is concerned, an amount of Rs.30,03,496/- has been transferred to the account of the petitioner. He would submit that the investigation is still pending and there is no recovery so far.

5. Taking into consideration the facts and submissions made by the learned counsels and the fact that huge amounts have been misappropriated by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

-sd/-

10/11/2020

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, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
COIMBATORE.

+3 CC to M/S.MALINI GEORGE Advocate on payment of necessary charges
SR.No.7679

CRL OP.17686/2020

Date :10/11/2020

cs 20/11/2020

<https://hcservices.ecourts.gov.in/hcservices/>