



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/11/2020

PRESENT

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.12595 of 2020

Thirumurugan

... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
District Crime Branch,
Thiruvarur District.
(Cr.No.17 of 2020).

... Respondent/Complainant

For Petitioner : M/s.M.Seenisulthan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

PETITION FOR BAIL Under Section 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.17 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 18.09.2020 for the offences punishable under Sections 120(B), 406, 408, 420, 465, 467, 468, 471, 34 and 109 of I.P.C, in Crime No. 17 of 2020, on the file of the respondent police seeks bail.

2.The learned counsel appearing for the petitioner scrupulously contended that the petitioner is an innocent person. The petitioner had accompanied the borrower who intended to borrow loan from the nationalized bank. Except by accompanying the borrower the petitioner has not committed any offence as alleged by the prosecution.



3.The learned counsel appearing for the petitioner reiterated that in other cases, the petitioner was granted bail and he is ready to abide by any condition to be imposed by this Court in the event of granting bail. This apart, the learned counsel for the petitioner is of the opinion that all the evidences are in the form of document and therefore, there is no likelihood of tampering the witnesses and evidences. Thus the bail is to be granted.

4.The learned Government Advocate (Criminal Side) appearing on behalf of the respondent police in reply stated that the petitioner/accused is a habitual offender and the quantum of amount involved is large and in the event of release, the same would affect the wider investigation to be conducted in nationalized bank. There is likelihood of connivance by the officials of the bank also. Many number of cases are identified against the petitioner regarding illegal loan activities. It is necessary that the investigations ought to be conducted by examining many bank officials and other records. In such circumstance, it is not preferable to release the petitioner on bail.

5.This Court is of the considered opinion that economic offence in a large extent to be viewed serious securing forged loans from the nationalized bank will affect economy of the country itself. Such offences are to be crush in Iron hand and no leniency can be shown. When the allegations against the petitioner are serious economic offences. Free and fair investigations by the police are eminent and necessary. In the present case, amount involved Rs.5 crores in total and with reference to other cases registered against the petitioner. Thus large investigations are required and under these circumstances, the petitioner is not entitled for bail and consequently, the Criminal Original Petition stands dismissed.

sd/-
10/11/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.
2. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVARUR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12595 of 2020
Date :10/11/2020

DSS/VSG
SRS/JC/SAR-III/19.11.2020/3P/4C