



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

Date : 09/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.14442 of 2020

S.Ulaganathan ... Petitioner/Accused A1

Vs

State Rep. by
The Inspector of Police,
Thideernagar Police Station,
Madurai District.
Crime No.797/2020.

... Respondent/Complainant

For Petitioner : Mr.Veera Kathiravan,
Senior Counsel
For M/s.Veera Associates.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.797 of 2020 on the file of the
Respondent Police

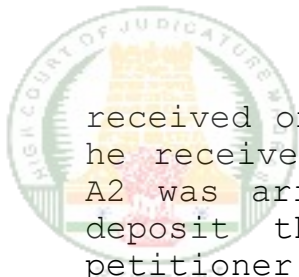
ORDER : The Court made the following order :-

Heard the learned senior counsel appearing for the petitioner
and the learned Government Advocate(Crl. Side) appearing for the
respondent.

2. The petitioner is arrayed as A1. He was arrested and
remanded to Judicial Custody on 19.11.2020 for the offences
punishable under sections 406 and 420 of I.P.C., in Crime No.797 of
2020 on the file of the respondent police. Hence, he seeks bail.

3. The case of the prosecution is that the accused persons
induced the defacto complainant for purchase of iridium and received
a sum Rs.2,58,00,000/-. Thereafter, both the accused have cheated
the defacto complainant without supplying iridium and also refused
to return back the amount collected by them.

4.The learned senior counsel appearing for the petitioner
submitted that the petitioner is arrayed as A1. Even according to
the defacto complainant, the petitioner on various installments



received only a sum of Rs.38,00,000/-. Insofar as A2 is concerned, he received more than Rs.1,50,00,000/-. He further submitted that A2 was arrested and released on bail on condition that he shall deposit the title deed not less than Rs.1,50,00,000/-. The petitioner is also ready and willing to deposit the title deed to the tune of Rs.38,00,000/-. He further submitted that the petitioner was arrested and remanded to judicial custody on 19.11.2020.

5. The learned Government Advocate (Crl. Side) submitted that the contraband is still not recovered. A2 is absconding after released on bail. Hence, if the petitioner is also released on bail, he may abscond. Hence, the custodial interrogation of the petitioner is very much necessary. Therefore, he prayed for dismissal of this bail petition.

6. It is seen that there are totally two accused in which the petitioner arrayed as A1. According to the case of prosecution, both the accused induced the defacto complainant to purchase iridium and received a sum Rs.2,58,00,000/- for supply of iridium. Thereby, they cheated the defacto complainant. A2 was arrested on 18.09.2020 and he was released on bail only on 16.10.2020 with certain conditions. Insofar as the petitioner is concerned, he was arrested and remanded to judicial custody only on 19.11.2020. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition stands dismissed.

sd/-
09/12/2020

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/ /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 INSPECTOR OF POLICE,
THIDEERNAGAR POLICE STATION,
MADURAI DISTRICT.

2 THE OFFICER INCHARGE,
SUB JAIL, ARUPUKOTTAI,
MADURAI DISTRICT.

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



3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.VEERA ASSOCIATES Advocate SR.No.8058

WEB COPY

ORDER

IN

CRL OP(MD) No.14442 of 2020

Date :09/12/2020

IAS

JM/PN/SAR II/11.12.2020/3P/5C