



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18443 of 2021

D.PAUL RAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVALLUR DISTRICT.
CRIME NO.27/2021.

[RESPONDENT]

For Petitioner : M/S. SYED NIZAMUDDIN AHMED HUSSAINI, Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 02.08.2021 for the alleged offences punishable under Sections 420, 465, 468, 471, 506(1) IPC, in Crime No.27 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had received a sum of Rs.2,50,000/- from the defacto complainant under the pretext of getting him housing board allotment, but no house was allotted. Further, the petitioner created a fake allotment order in favour of the defacto complainant and cheated him. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner and the defacto complainant



were friends for the past 20 years. He further submitted that one Johnprito had cheated the petitioner, thereby the petitioner had already made a complaint before the respondent police. Hence, he prays for grant of bail to the petitioner.

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4.The learned Government Advocate (Crl.Side) submitted that petitioner had received a sum of Rs.2,50,000/- from the defacto complainant under the pretext of getting him housing board allotment, but no house was allotted. Thereafter, the petitioner created a fake allotment order in favour of the defacto complainant and cheated him. He further submitted that the petitioner has also cheated five other persons and dwindled totally Rs.15,00,000/- by creating forged documents. He further submitted that the investigation is still pending. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the fact that large amount of money is involved and that the petitioner has cheated many persons, including the defacto complainant under the pretext of housing board allotment by created and issuing fake allotment orders and also taking into consideration the fact that investigation is still going on, enlarging the petitioner on bail at this point of time, when the offence is serious in nature, which would be prejudicial to the investigation as the chance of the petitioner to tamper with the witness and materials cannot be ruled out and, therefore, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

04/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

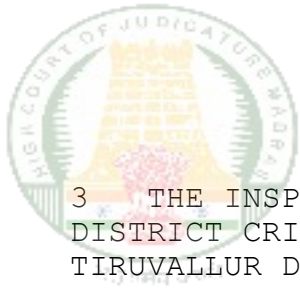
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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE OFFICER INCHARGE,
SUB JAIL, TIRUVALLUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVALLUR DISTRICT.

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CC to M/S. SYED NIZAMUDDIN AHMED HUSSAINI, Advocate on payment
of necessary charges

CRL OP.18443/2021

Date :04/10/2021

RW 21/10/2021