

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Cr1.O.P.No.20829 of 2020

Jose Thomas

... Petitioner

Vs.

State by

Represented by

Inspector of Police,

Perundurai Police Station

Erode District-638 052.

(Crime No.247 of 2019)

... Respondents

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail on bail in the event of his arrest in Crime No.247 of 2019 on the file of the respondent police.

For Petitioners : Mr.R.Mubarak Basha

For Respondent : Mr.S.Karthikeyan

Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offence under Sections 392 and 395 read with section 34 IPC in Crime No.247 of 2019, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that totally eight accused in this case and the petitioner is arrayed as A7. The allegation is that the defacto complainant is running a company in Kerala and Coimbatore and he sent a sum of Rs.30 lakhs through his staff in his own car. The allegation is that the car was intercepted by all the accused persons disguised as police personnel, they took away the money.

3. The learned counsel for the petitioner submitted that totally there are seven accused in this case and the petitioner is arrayed as A7 and all the other accused arrested and now released on bail and that the entire amount has been recovered. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor on instructions would submit that as per the FIR, the amount involved in this case is a sum of Rs.30 lakhs. Actually the amount involved is Rs.3,95,00,000/- which have been stolen by all the accused. Except this petitioner, all the other accused were arrested and released on bail, A1 and A3 were detained under Act 14, 1982 and all the other accused came out on regular bail. He further stated that out of Rs.3,95,00,000/-, Rs.44,60,000/- have been recovered from the accused and the remaining amount is yet to be recovered.

5. Considering the fact that the huge amount has been stolen by all the accused persons and some of the accused persons came out of bail and Rs.3,50,40,000/- are yet to be recovered, this Court is not inclined to grant anticipatory bail at this stage.

Accordingly, this criminal original petition is dismissed.

-sd/-
08/01/2021

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 JUDICIAL MAGISTRATE,
PERUNDHURAI, ERODE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PERUNDURAI POLICE STATION,
ERODE DISTRICT-638 052

+1CC to M/S. R.MUBARAK BASHA Advocate on payment of
necessary charges SR NO.341

CRL OP.20829/2020

Date :08/01/2021

MK:20/01/2021