

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Twenty Sixth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22471 of 2021

SOWKATH ALI

[ PETITIONER / ACCUSED ]

Vs

STATE REP.BY

[ RESPONDENT ]

THE INSPECTOR OF POLICE,  
G3, KILPAUK POLICE STATION,  
CHENNAI.  
(CRIME NO.256/2021)

For Petitioner : M/S. M.RAJU SHARMA Advocate

For Respondent : MR.N.S.SUGANTHAN, 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 01.07.2021 for the offences under Sections 379 @ 457, 465, 468, 420, 380 of IPC in Crime No.256 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has fraudulently withdrawn cash from SBI ATM E-Corner located at dr. Alagappa Road, Purasaiwalkkam, Chennai-600084 by using CDM (Cash Deposit machine) and collected Rs.1,18,000/-. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the investigation has been completed and the charge sheet has been filed and the same has been taken on file in C.C.No.7266 of 2021 on the file of the II Metropolitan Magistrate, Egmore, Chennai and that the petitioner has been suffering incarceration for about 150 days from 01.07.2021 and would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner along with other accused continuously engaged in ATM robberies. He would further submit that the petitioner belongs to Haryana state and if he is released on bail, there is every possibility of the petitioner getting abscond and thereby, the trial would be stalled.

5.On seeing the modes operandi and considering the submission of the learned Government Advocate (Crl. Side) that there is possibility of the petitioner getting abscond, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
26/11/2021

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 INSPECTOR OF POLICE,  
G3, KILPAUK POLICE STATION,  
CHENNAI.

2 THE SUPERINTENDENT,  
CENTRAL PRISON-2, PUZHAL,  
CHENNAI.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S. M.RAJU SHARMA Advocate on payment of necessary  
charges SR.NO.13483

CRL OP.22471/2021

Date :26/11/2021

CSK 30/11/2021