



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirtieth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22797 of 2021

SOWKATH ALI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
G2, PERIAMET POLICE STATION,
CHENNAI.
(CRIME NO.366 of 2021)

[RESPONDENT]

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 of IPC @ into Sections 457, 465, 467, 468, 471, 420, 380 of IPC read with 34 of IPC in Crime No.366 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner fraudulently withdrew cash by using ATM Cards at SBI ATM E-Corner located at Periamet Branch, Vepery High Road, Chennai using CDM (Cash Deposit Machine) and collected amount to the tune of Rs.15,71,300/-. 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.7268 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 and that the petitioner has got two previous cases of similar nature.

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 and that the petitioner has got two previous cases of similar nature, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

30/11/2021

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 II METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
G2, PERIAMET POLICE STATION,
CHENNAI.

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

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S./M.RAJU SHARMA Advocate on payment of necessary charges SR.NO.13659

CRL OP.22797/2021

Date :30/11/2021

CSK 02/11/2021