



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23475 of 2021

MUTHUVEL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-I,
CHENNAI.
(CRIME NO.19/2021)

[RESPONDENT]

For Petitioner : M/S M. MOHAMED RIYAZ 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 25.09.2021 for the offences under Sections 120-B, 419, 420, 465, 467, 468, 471 of IPC, in Crime No.19 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the Chief Manager of Indian Bank is the defacto complainant. The petitioner had approached the defacto complainant's bank to avail credit facility by producing the documents so as to purchase a property and a sum of Rs.56.28 lakhs was sanctioned and out of the said loan amount, the petitioner purchased a property and paid the said sum to the vendor. Thereafter, based on the execution of further documents, overdraft of Rs.77.7 lakhs was sanctioned to the petitioner and in all Rs.114.37 lakhs was sanctioned. Later, the bank found that all the documents were fake and forged one and hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and in fact the petitioner himself has been cheated by the impersonator. He would further submit that earlier a complaint was lodged by the original owner of the property namely Chokkalingam in the year 2019 and same was registered in Crime No.204 of 2019 in which, the petitioner was arrayed as A3 and the defacto complainant herein/the Branch Manager of Indian Bank



was arrayed as A4 and now for the very same cause of action, the A4 in Crime No.204 of 2019/the Branch Manager of Indian bank has lodged the present complaint and the petitioner has been arrayed as A1 in this case and that the petitioner has been suffering incarceration for about 70 days from 25.09.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner is arrayed as A1 and that the petitioner along with other accused by producing fabricated documents, have availed loan from the defacto complainant's bank and that the amount has not been recovered and the investigation has not been completed. He would further submit that still the property stands in the name of the petitioner.

5.On seeing the nature of allegation levelled against the petitioner and that the investigation requires a detailed enquiry, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/12/2021

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,
CENTRAL CRIME BRANCH-I,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S M. MOHAMED RIYAZ Advocate on payment of necessary charges SR.NO.14220

CRL OP.23475/2021

Date :07/12/2021