

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24707 of 2021

BHARATH KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
BANK FRAUD PREVENTION WING,
TEAM - 31,
VEPERY, CHENNAI .
(CRIME NO. 179/2021)

[RESPONDENT]

For Petitioner : M/S.P.EZHIL NILAVAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Government 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 22.11.2021 for the offences under Sections 120 B, 420, 465, 467, 468, 471 of IPC, in Crime No.179 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that One Kiruthika and her husband obtained housing loan from the Punjab National Bank to the tune of Rs.2,09,25,000/- by mortgaging forged and fake documents by way of colluding with the sellers. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner has not committed any offense as alleged by the prosecution and he has been falsely implicated in this case . He would further submit that the petitioner have been suffering incarceration for 30 days from 22.11.2021 and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) raised strong objection stating the petitioner is arrayed as A5 and he is the friend of A2 and that he colluded with other accused and created the forged documents in respect of the property belongs to Mahaveerchand Dhoka and by using the same, A1 and A2 who are wife and husband executed a sale deed and obtained loan from the Punjab National Bank to the tune of Rs.2.09 Crores. Further, the petitioner has received a sum of Rs.13 lakhs from the power agent namely Kumar. He would further submit that A1 has been granted bail by the lower Court since she is a women and that her husband/A2 who is in abroad is still absconding.

5. On seeing the nature of allegations in the FIR and the fact that the the sale deed still stands in the name of A1 and it has not been cancelled and that A2 is still absconding and the investigation is at the initial stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

22/12/2021

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

2 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
BANK FRAUD PREVENTION WING, TEAM - 31,
VEPERY, CHENNAI .

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.EZHIL NILAVAN Advocate on payment of necessary charges

CRL OP.24707/2021

Date :22/12/2021

RW 05/01/2022