



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/10/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14646 of 2021

Asaithambi

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Thanjavur DCB Police,
Thanjavur District.
Crime No.65 of 2021.

... Respondent/Complainant

For Petitioner : Mr.B.FAZIL KIRMANI,
Advocate.

For Respondent : Mr.A.THIRUVADI KUMAR,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

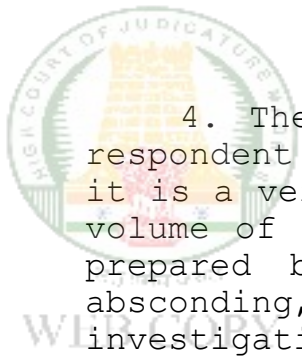
For Bail in Crime No.65 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 21.08.2021 for the offence punishable under Sections 465, 468, 471, 409 and 420 I.P.C, in Crime No.65 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, one Balachandar, Manager of HDFC Bank Limited, Thanjavur has received a cheque bearing No.002630 for a sum of Rs.4,99,000/- through Chennai Bankers on 07.08.2021 for payment by UCO Bank, Thanjavur. The said cheque was issued by Mr.Kukul Rahatgi, Ex.Attorney General, Mumbai to and favour of New World Trust and it was returned by the HDFC Bank in normal course of business on 07.08.2021. Later, the Bank received an alert from their customer bank that the above deposited cheque is a cloned instrument and misused by miscreants. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is running a public trust and he is not having any bad antecedent. The alleged cheque was given to his trust as donation and without knowing it as forged, he deposited the same for collection. Only after registration of the case, the petitioner came to know about the forgery. The petitioner is in judicial custody from 21.08.2021 and hence, he seeks for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that during investigation, they found that it is a very big network from the State of Kerala and Nasik and the volume of cheating is also not known. Though the forged cheque was prepared by accused no.6, who belongs to Kerala and is still absconding, the same was presented by this petitioner. The investigation is in initial stage and hence, he opposed for grant of bail to the petitioner.

5. Considering the submission of the learned Additional Public Prosecutor and the stage of the investigation and also the fact that the co-accused is yet to be secured, this Court is not inclined to grant bail to the petitioner, at this stage.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

07/10/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKOTTAI
- 2 THE INSPECTOR OF POLICE,
THANJAVUR DCB POLICE,
THANJAVUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.14646 of 2021

Date : 07/10/2021

SA/PN/SAR.2/20.10.2021/2P/4C