



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirty First day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1902 of 2022

IN C.C.NO.7269/2021

(On the file of II Metropolitan Magistrate court, Egmore, Chennai)

NAJIM HUSSAIN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
G2, PERIAMET POLICE STATION,
CHENNAI.

[RESPONDENT]

For Petitioner : M/S.R.THAMARAI SELVAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

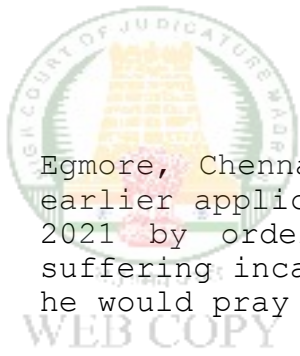
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 12.07.2021 for the offences under Sections 379 @ 454, 465, 467, 468, 471, 420, 380 of IPC r/w 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 duplicate ATM cards at SBI ATM E-Corner located at Periamet Branch, Vepery High Road, Chennai. 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 now the case is pending in C.C.No.7269 of 2021 on the file of the II Metropolitan Magistrate,



Egmore, Chennai and this is the second application for bail and the earlier application was dismissed by this Court in CrI.O.P.No.22248 of 2021 by order dated 24.11.2021 and that the petitioner has been suffering incarceration for more than 6 months from 12.07.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (CrI. Side) would raise strong objection stating that the petitioner belongs to Haryana state and if he is released on bail, there is every possibility of the petitioner getting abscond and the trial would be stalled and that he has got 2 previous cases.

5. It is seen that the petitioner belongs to Haryana state and he has got two previous cases. On seeing the antecedents of the petitioner and the nature of offence and there is every possibility of the petitioner getting abscond, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

6. The learned II Metropolitan Magistrate, Egmore, Chennai, is directed to dispose of the trial in C.C.No.7269 of 2021 within a period of 3 months from the date of receipt of copy of this order without giving any unnecessary adjournments.

-sd/-

31/01/2022

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.

WEB COPY

CC to R.THAMARAI SELVAN Advocate on payment of necessary charges

CRL OP.1902/2022

Date :31/01/2022

CSK 15/02/2022