



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Ninth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2996 of 2022

C.S.K.KUMARESAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DCB POLICE STATION,
VELLORE DISTRICT.
CR.NO.21 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.A.ASHRAFF ALI Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 465, 468, 471, 420, 294(b), 506(i) and 120(B) of IPC in Crime No.21 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons had cheated the defacto complainant and 147 members for a sum of Rs.13,00,000/- under the guise of securing Government Job from Various Departments. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that other accused in this case had already been arrested and released on bail. According to him, the petitioner is a permanent residence and that there is no chance of absconding. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police raised objection stating that in the alleged occurrence the petitioner and 2 others had cheated 147 members and mis-appropriated for a sum of Rs.4.67 crores. He vehemently opposed for the grant of anticipatory bail to the petitioners.

5. The submission made by the learned counsel on either side is considered.

6. Considering the above facts and circumstances of the case, in the absence of custodial interrogation it would not be possible for the respondent police to recover the mis-appropriated amount which is necessary for completing the investigation. Hence custodial interrogation is necessary in this matter. For the reasons stated above, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
09/02/2022

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 INSPECTOR OF POLICE,
DCB POLICE STATION,
VELLORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.A.ASHRAFF ALI Advocate on payment of necessary charges

CRL OP.2996/2022

Date :09/02/2022

TA-16/02/2022