



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.A. NAKKIRAN

CRIMINAL ORIGINAL PETITION No.11142 of 2022

S.MANIKANDAN

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
C-4, RATHINAPURI POLICE STATION,
COIMBATORE DISTRICT.
CRIME NO.711 / 2019.

[RESPONDENT]

For Petitioner : M/S.C.MOHANRAJ Advocate

For Respondent : Mr.A.Gopinath Government Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody on 14.04.2022 for the alleged offence punishable under Sections 171, 392 of IPC @ Sections 171, 120(B) and 395 IPC in Crime No.711 of 2019 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 17.07.2019 the defacto-complainant's car was intercepted by the petitioner along with other accused stating that they were from Vigilance Department and taken away a sum of Rs.13,00,000/- from the defacto-complainant, which he had brought to buy gold in Coimbatore. Hence the complaint.

3. Learned counsel for the petitioner would submit that the petitioner is a driver. Even though, his name is not mentioned in the FIR, he has been falsely implicated in this case and thereby, the petitioner is suffering incarceration from 14.04.2022. He would also submit that the co-accused in this case A1 to A5 were released on bail. Hence, prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the petitioner along with other accused had cheated the defacto complainant saying that they were from Vigilance Department and taken away a sum of Rs.13,00,000/- from the defacto-complainant. He would further submit that A1 to A5 were



released on bail, A6 to A8 were arrested and are still in custody and A9 and A10 are absconding. He would also submit that a sum of Rs.8,40,000/- were recovered from the accused and the remaining amount of Rs.4,60,000/- is yet to be recovered and the investigation is still pending. Thereby, he raised objection for granting bail to the petitioner

5. Considering the fact of the petitioner's incarceration and A9 and A10 are yet to be secured and considering the nature of gravity of offence, pendency of investigation and objection from the learned Government Advocate (Crl.side), this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

12/05/2022

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 SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

2 INSPECTOR OF POLICE
C-4, RATHINAPURI POLICE STATION,
COIMBATORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.MOHANRAJ Advocate on payment of necessary charges

CRL OP.11142/2022

Date :12/05/2022

RVR 17/05/2022