



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.02.2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.1564 of 2022

P.Sundararajan

... Petitioner/Accused

Vs

State rep.by
The Inspector of Police,
District Crime Branch,
Nagercoil.
(Crime No.53 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Veil Kaniraju, Advocate
for M/s.P.Krishnaveni, Advocate

For Respondent : M/s.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.53 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 22.12.2021 for the offences punishable under Sections 420, 465, 467, 468 and 471 IPC, in Crime No.53 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the Multi storeyed building inspection team had inspected the newly constructed and upcoming hospital of M/s.Pata Nilam Welfare Trust and found that the Fire License Certificate submitted by Shri.Moogambikai Hospital and renewed by the Director of Department of Fire Service are fake certificates. Hence, the complaint.

3.The case of the petitioner is that he is only a fireman working in Chennai and he has no jurisdiction to issue any license relating to the Fire and Rescue Department and that the petitioner has been roped as a scapegoat.



4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution, that the petitioner is in judicial custody from 22.12.2021 and that false case has been foisted against him.

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5.The learned Additional Public Prosecutor would submit that usually District Officer, Fire and Rescue Services, used to give No Objection Certificate (NOC) and fire license to the buildings measuring height below 18.30 metres and the Director of Fire and Rescue Services is competent to issue No Objection Certificate (NOC) and license and renewal for the buildings measuring above 18.30 metres height. He would further submit that the certificate shown by the Shri.Moogambikai Medical College Hospital at the time of inspection, conducted by the team led by Deputy Director was found to be fake one, that subsequently the certificate produced by the Management of Pothys was also found to be fake and that the respondent has been receiving complaints about such fake certificates and renewals allegedly issued by the Director of Fire and Rescue Services Department and that investigation is in progress.

6.The learned Additional Public Prosecutor would further submit that the petitioner is now working in the Fire Station attached to the Raj Bhavan Guindy, Chennai, and that the petitioner is having two wives and that they had traced out the banking transactions allegedly made in the bank account of his two wives and that there were transactions to the tune of more than Rs.1 crore in the bank account of his first wife and to the tune of Rs.1.75 crores in the bank account of his second wife.

7.Considering the seriousness and gravity of the offence alleged against the petitioner and also considering the quantum of amount allegedly found in the bank accounts of the two wives of the petitioner and also the fact that investigation is pending as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner at this point of time.

8.In the result, this Criminal Original Petition is dismissed.

Sd/-
15/02/2022

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/ /2022

Sub-Assistant Registrar (C.S.II)
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 INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL.
2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.1564 of 2022

Date :15/02/2022

SP/PN/SAR II/23/02/2022/3P/4C