



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated: 23/06/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

Crl.OP(MD)No.10774 of 2022

Selvamuthukumar : Petitioner/Accused
(Rank not known)

Vs.

The State rep. By
The Inspector of Police,
District Crime Branch,
Virudhunagar District,
(Crime No.1 of 2019) : Respondent/Complainant

For Petitioner : Mr.T.Palanisamy, Advocate
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as an accused was arrested on 16/04/2022 and remanded to judicial custody for the alleged offences under sections 120(b), 406 and 420 IPC, in Crime No.1 of 2019, seeks bail.

2.The case of the prosecution is that the de-facto complainant was working as Branch Manager at Madurai in Secure Value India Limited. They are owning several ATM outlets in various places. When audit was undertaken by one Siva, it was found that ATM numbering about 22 around Srivilliputhur and Rajapalayam region, found that totally Rs.86,76,500/- was found stolen. On enquiry, it was found that from 3rd November 2018 onwards all the accused persons by using the secret number of the ATM, shared the same with Gopinath and stolen the entire money. Gopinath was found to have transferred the entire money to his brother namely Selvamuthukumar through hundi. He was residing in Dubai. That was also admitted by Gopinath and Selvamuthukumar. So based upon which, the case has been registered. The said Gopinath returned Rs.9,04,000/- to the Bank.



3.Now seeking bail, Selvamuthukumar, who is the brother of the above said Gopinath, moved this petition on the ground that no money was actually transferred to him through hundi and he is in custody ever-since the date of the arrest, namely 14/04/2022.

4.Heard both sides.

5.The earlier bail application, that was moved by the petitioner before this court in Crl.OP(MD)No.9380 of 22 was dismissed, on 18/05/2022. As on date, the petitioner is in custody for more than 60 days, he is entitled for statutory bail.

6.So Without going into the merits of the case, this court is inclined to **grant bail** to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Virudhunagar and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

sd/-
23/06/2022

/ TRUE COPY /

24/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.
4. THE OFFICER-INCHARGE,
SUB JAIL, VIRUDHUNAGAR.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.T.PALANISAMY, Advocate (SR-6050[I] dated 24/06/2022)

ORDER
IN
CRL OP(MD) No.10774 of 2022
Date :23/06/2022

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<https://hccs.csb.gov.in/Sdcr/In/Case/2022/06/2022/2P/7C>