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CRL OP(MD). N



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17677 of 2022

Shanmugam ... Petitioner/Accused No.1

Vs

The State represented by
The Sub Inspector of Police,
District Crime Branch,
Thoothukudi District.
Crime No. 06/2022.

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

For Intervenor : Mr.Ananth C.Rajesh

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

PRAYER :-

For Bail in Crime No.06 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 16.08.2022 for the offences punishable under Sections 408, 417, 418, 420, 465, 468, 120B and 506(1) of IPC in Crime No.6 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is running a Private Finance Company. The petitioner was working as an employee in the above said finance company. He along with other accused persons said to have created fake account holders in the name of members of Women Self Help Group and transferred a sum of Rs.12,24,979/- to the fake accounts. Thereafter, all the accused persons have spent that amount and cheated the defacto complainant.

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Further, prevented the members of Women Self Help Group to release the loan amount to the defacto complainant's Company. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner was working as a collecting agent in the defacto complainant's company. He did not have any authority to release the loan amount to the Women Self Help Group without permission from the higher officials of the company. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that totally there are 3 accused. The petitioner was arrayed as A1. The accused No.2 & 3 are absconding and cheated amount was not recovered sofar. The investigation is in initial stage.

5.Considering the facts and circumstances of the case and also considering the fact that the investigation is in initial stage and the co-accused are yet to be secured, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

06/10/2022

/ TRUE COPY /

/10/2022

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

TO

- 1 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI..
- 2 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.ANAND C.RAJESH Advocate SR.No.10952

ORDER

IN

CRL OP(MD) No.17677 of 2022

Date :06/10/2022

SS/SVR/SAR I/11/10/2022/ 2P 5C

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