



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.20867 of 2021

Ezhumalai Penchamin

... Petitioner/Accused No.1

Vs.

State rep.by
The Inspector of Police,
DCB Ramanathapuram,
Ramanathapuram District.
(Crime No.39 of 2021).

... Respondent/Complainant

For Petitioner : M/s. Sivabalan.K, Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

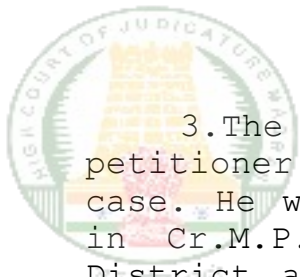
PRAYER :-

For Bail in Crime No. 39 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 19.11.2021 for the alleged offence under Sections 406, 465, 468, 471 and 420 I.P.C and added 120(b) I.P.C, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is said to have contacted the defacto complainant and made a false promise that he would arrange Government Job. Believing the words of the petitioner, the defacto complainant paid a sum of Rs.1,50,000/- to the petitioner's account and totally Rs.50,00,000/- paid to the petitioner. In turn, the petitioner had created the bogus appointment orders and issued the same to the victims. 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 filed a petition in Cr.M.P.No.3237 of 2021, seeking bail, before the Principal District and Sessions Judge, Ramanathapuram District and the same was dismissed by the Court. Hence, the petitioner filed this petition and the petitioner is in custody from 19.11.2021 and hence, he seeks bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposed the bail petition on the ground that the petitioner is involved in five previous cases in various police stations and he was involved in creating and forging the Government official Seals and he is a habitual offender. Based upon the confession statement that was obtained from the petitioner, the petitioner was arrested.

5. It is seen that the petitioner involved in serious offence and he fabricated the Government orders as well as the Government seals and it requires thorough investigation and if the petitioner is released on bail he may tamper the evidence and the witness. Hence, this court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

Sd/-

11/01/2022

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/ /2022

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

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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,
DCB RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
2. THE OFFICER INCHARGE,
DISTRICT PRISON, RAManathapuram.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.20867 of 2021

Date :11/01/2022