



WEB COPY



Crl.O.P.No.3021 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 22.12.2022 for the alleged offence under Sections 406, 420 and 120(b) of I.P.C., in Crime No.257 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 textile godown in Chennai and he supplied the stocks as per the invoice value of Rs.3,48,00,000/- to accused persons, based on the assurance given by the petitioner. Further, they had paid only Rs.95,00,000/- and the petitioner had received a sum of Rs.95,000/- as his commission. Hence, the complaint was registered against the petitioner.



3. The learned counsel appearing for the petitioner submitted that the petitioner is a senior citizen and in fact, he is a friend of defacto complainant and subsequently, he introduced A1 to A3 with a bonafied intention to supply stocks under the guarantee free collection of payment by A1 to A3 and he has no knowledge about these transactions. He further submit that the petitioner's name is not found in the F.I.R and he is an innocent person. He also submitted that he is no way connected with the offence as alleged by the respondent Police and he has been falsely implicated in this case. He further submitted that the petitioner has been suffering incarceration from 22.12.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent would submit that totally there are four accused in this case and the petitioner is arrayed as A4. He further submitted that A2 is still absconding and other accused were arrested. He also submitted that two more complaints were received from other persons and 161 statement was also recorded. He further submitted that if the petitioner is released



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on bail, he would hamper the investigation and tamper the evidence and the investigation is not yet completed and it is in preliminary stage. He also submitted that this is the second bail application. Hence, he would vehemently opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case, the gravity of offence committed by the petitioner, A2 is still absconding, there is possibility of tampering the witnesses and hampering the investigation and there is no changes in the circumstances of the case, this Court is not inclined to grant the relief sought for in this petition. Accordingly, this Criminal Original Petition for bail is dismissed.

09.02.2023

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