



CrI.O.P.No. 3334 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.12.2022 for the alleged offence under Sections 406, 420 of I.P.C. and subsequently, it was altered into Sec. 120(b), 406, 420, 465, 468 of I.P.C. in Crime No.847 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's uncle bought cars and he handed over totally 81 cars for monthly hire basis to the petitioner and his manager/A2, who were doing travel business in the name of R.S. Transports, but they failed to pay neither rental amount nor returned the vehicles to him, thereby they deceived and cheated him. Hence, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that he is an innocent person and he has not at all committed any offence as alleged by the respondent police and he is no way connected with the said concern. He would submit that there is no role of the petitioner in the alleged offence and he has been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 25.12.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that totally, there are 4 accused involved in this case and the petitioner is arrayed as A1. He would submit that petitioner is running a transport company in the name of R.S.Transport and the complainant's uncle handed over his 81 cars for lease and thereafter, he has not paid the rent and also not returned the cars. He would submit that so far, 51 cars were recovered and remaining 30 cars are yet to be recovered. He would also submit that if he is released on bail, he will tamper the witnesses and hamper the investigation and the investigation is not yet



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completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner, on giving false promise to pay rent for the cars obtained from the defacto complainant's uncle, he failed to pay the rent and not returned his cars to him and out of 81 cars, so far 51 cars were recovered and the remaining 30 cars are yet to be recovered and also the fact that investigation is still pending and if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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