



CrI.O.P.No. 3861 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 and 420 of I.P.C. r/w 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 business of buying and selling textiles, in which, one Kannan introduced petitioner and other accused and they have purchased cloths from him worth about Rs.3,40,00,000/-, but they failed to pay the amount after making repeated demands for payment. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he was initially taken for enquiry by the respondent police and on failure of securing the above mentioned accused, this petitioner was arrested and



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remanded to judicial custody. He would submit that as the alleged accused name is Sathish, his name is also based on this connectivity, he was remanded in the said case. He would submit 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 offence. 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 22.12.2022. 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 3 accused involved in this case and the petitioner is arrayed as A3. He would submit that A2 is still absconding and all the accused were arrested. He would submit that there was a business transaction between them, out of which, nearly about Rs.2,48,00,000/- is due to be paid and the same is to be recovered from them. He would also submit that if he is released on bail, he will tamper the



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witnesses and hamper the investigation and the investigation is not yet 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 and also the fact that nearly about Rs.2 crores is to be recovered and investigation is not yet completed and A2 is still absconding 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.

20.02.2023

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