



Crl.O.P.No. 32649 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 20.10.2022 for the alleged offence under Sections 406, 420, 465, 467, 468, 120(B) r/w 34 I.P.C. in CCB – I Crime No.136 of 2022 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the petitioner along with other accused said to have started a company in the name of M/s.Joel International Import and Export and entered agreement with the defacto complainant that they would export fly ash in 40 containers through M/s.Zenhawk International Liners Pvt. Ltd. The defacto complainant company also paid the amount directly to the said company, but without exporting the containers, they said to have prepared 4 forged bill of lading as if the container was exported, thereby cheated the defacto complainant to the tune of Rs.69,44,500/- and caused wrongful loss to the defacto complainant. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that he has acted only as an accomplice to the main accused, since he was working as a Manager in the accused company and he has not at all committed any offence as alleged by the respondent police. He would submit that he is an innocent person and he is no way connected with the offence. He would further submit that the petitioner has been suffering incarceration from 20.10.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 15 accused involved in this case and the petitioner is arrayed as A9. He would submit that a team of persons formed a group, created fake documents and involved in this offence, thereby cheated the defacto complainant to the tune of Rs.69 lakhs. He would submit that the investigation is still pending. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and the submissions made by both counsel, the detailed investigation is required and considering the fact that investigation is not yet completed and also considering the gravity of offence committed by the petitioner and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

12.01.2023

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