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CRL OP.No.29148 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.29148 of 2023

S.Nagarajan (M 72),
S/o. Late Subramanian,
Flat No. 1171, Block 43,
Jeevan Bhima Nagar,
Anna Nagar West Extension,
Chennai – 600 101.

... Petitioner

Vs.

State,
Represented by
Inspector of Police,
CC Wing, CB CID,
Metro, Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioner / Accused on bail in Crime No.13 of 2023 pending on the file of the respondent Police.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor



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ORDER

The petitioner/Accused who was arrested and remanded to judicial custody on 03.12.2023 for the offences punishable under Sections 403, 408, 420 IPC r/w 66(C) of Information Technology Act 2008 in Crime.No.13 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the first accused B.Surya who was engaged as a contract support staff and assigned to finalize the claims of death cases had created customer Ids on his name and his family member's name and made nominations on the name of the deceased C.S.Vasan and transferred and drawn Rs.43.06 lakhs. It is alleged that the petitioner is a friend of the first accused and made 46 deposits and they had jointly transferred Rs.2.6 crores.

3. The learned counsel for the petitioner would contend that



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the petitioner is innocent and a false case has been foisted against him without verifying his bonafide acts. He would further submit that the alleged occurrence took place at the de-facto-complainant office from 01.05.2022 to 03.08.2023, but the FIR has been registered only on 28.08.2023 with an inordinate delay. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the investigation is at initial stage and huge amount is involved. Since the offences are grave in nature, she strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and



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considering the fact that investigation is at initial stage, and also considering the gravity of the offence and considering that the huge amount involved in this case, I am declined to grant bail to the petitioner. Accordingly, this petition is dismissed.

29.12.2023

ssa/ay

TO

- 1.The Inspector of Police,
CC Wing, CB CID,
Metro, Chennai.
- 2.The Additional Public Prosecutor,
Madras High Court, Madurai.



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P. DHANABAL,J

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