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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14139 of 2023

Vairamuthu

... Petitioner/1st Accused

Vs

The State represented by
The Inspector of Police,
District Crime Branch Tenkasi Police
Station, Tenkasi District.
(Crime No.16 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Ponnuthai C.R.,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.16 of 2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 11.07.2023 for the alleged offence under Sections 420 of IPC, in Crime No.16 of 2021, on the file of the respondent police, seeks bail.



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2.The case of the prosecution in brief is that the defacto complainant lodged a complaint stating that one Dinesh Kumar, who belongs to his Village, offered to arrange job in abroad for him. He further stated that a company located in Sankarankovil will arrange the job. For that purpose, he has required Rs.2.50 lakhs. He was referring to one Vairamuthu. He met Vairamuthu and gave Rs.70,000/- on 21.11.2014. The fourth accused namely Vijaya Reddy gave a receipt on the instructions made by the first accused. He transferred the money to third accused's account. Receipts were also issued by the first accused and third accused. But, later, she came to know that they were indulged in cheating the public. Later, they closed the above said company and absconded. On the basis of the above said complaint, case was registered against four persons. This petitioner was arrested and remanded to custody.

3.Seeking bail, this petition has been filed on the ground that the entire transaction took place between the first accused and the defacto complainant, in which he is no way involved. After a lapse of four years complaint has been given. He is in custody for more than 20 days.



4. Heard both sides.

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5. The learned Additional Public Prosecutor would submit that during the course of investigation, it was found that several persons have been cheated by the accused and huge amount of Rs.88.43 lakhs have been involved in this matter. So far no amount was recovered. On the basis of the confession statement made by the co-accused, the involvement of this petition came to light. The petitioner has also given confession statement. Co-accused in this is absconding. Investigation is in primary stage.

6. It is seen that as per the information furnished by the learned Additional Public Prosecutor, more than Rs.84 lakhs is involved in this scam. Considering the fact that so far no amount has been recovered, co-accused also absconding and investigation is in the primary stage, this Court is not inclined to grant bail to the petitioner. This petition deserves to be dismissed.

7. Accordingly, this criminal original petition stands dismissed.

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



WTO COPY

- 1 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
 - 2 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH TENKASI POLICE STATION,
TENKASI DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- + 1 CC TO Mr.C.R.PONNUTHAI, ADVOCATE IN SR No.37284(F)**

ORDER
IN
CRL OP(MD) No.14139 of 2023
Date :04/08/2023

SS/VR/17/08/2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023