



CRL OP(MD). No.17012 of 2023

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

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17012 of 2023

Ramasubramaniyan

... Petitioner / Sole Accused

Vs

State represented by
The Inspector of Police,
Devarkulam Police Station,
Tenkasi District.
(Crime No.205 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Alwin Balan P.P., 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.205 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused herein, who was arrested on 28.08.2023 for the alleged offence under Sections 420, 294(b) and 506 (2) of IPC in Crime No.205 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner is a team leader in State Bank of India. On 19.04.2023, the petitioner called the defacto complainant to come to the Bank to activate his credit card. The next day, the defacto complainant went to the Bank and handed over his credit card to the petitioner to activate the same. On 01.08.2023, the defacto complainant came to know that Rs.6,531/- was debited from his account and when he enquired about the same, he came to know that Rs.48,000/- was taken from his credit card and for that amount, interest was debited from his account. On 17.08.2023, the defacto complainant called the petitioner to question the same, the petitioner abused him in filthy language and threatened him with dire consequence. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he seeks for the relief of bail.

4. It has been submitted by the learned counsel for the petitioner that no amount was transferred to his account. After process was over, the credit card was handed over to the defacto complainant and other persons. He never used the credit cards for the purpose of withdrawing the amount.

5. The learned Additional Public Prosecutor would submitted that by retaining the cards, the amount has been withdrawn. Out of Rs.65,000/-, Rs.25,000/- was



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already returned to the parties and remaining Rs.40,000/- is yet to be paid. Because of the misconduct, the petitioner was removed from the agency.

6. Considering the facts and circumstances of this case and also considering the period of incarceration, this Court is inclined to grant relief to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is directed to deposit the remaining amount of Rs.40,000/- to the credit of the Crime No.205 of 2023 before the concerned trial Court.

8. On such deposit, the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tirunelveli, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
22/09/2023

/ TRUE COPY /

22/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The Judicial Magistrate No.III,
Tirunelveli

<https://www.hmc.tn.gov.in/judis>



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2.Do through the Chief Judicial Magistrate,
Madurai Bench of Madras High Court, Madurai.

3.The Inspector of Police,
Devarkulam Police Station,
Tenkasi District.

4.The Superintendent,
Central Prison,
Palayamkottai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.P.ALWIN BALAN, Advocate (SR-14000[I] dated 22/09/2023)

ORDER
IN
CRL OP(MD) No.17012 of 2023
Date :22/09/2023

ED/ /SAR- (22/09/2023) 4P / 7C

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