



Crl.O.P.No.15886 of 2024

T.V.THAMILSELVI, J.

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This Criminal Original Petition has been filed by the petitioner/A1, who was arrested and remanded to judicial custody on 31.05.2024, seeking bail in Crime No.73 of 2024 registered for the offence under Sections 406 & 420 r/w 34 of IPC.

2. Learned Senior Counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner had borrowed amount from the de facto complainant and for which, he executed three promissory notes for the amount borrowed and also issued cheques, whereas, the de facto complainant has given a criminal colour to a civil case. He also submitted that the petitioner has been suffering incarceration from 31.05.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police objected for granting bail stating that, the petitioner/A1, on the promise of returning the money with interest by selling his land within three months, had borrowed a sum of Rs.55 lakhs from the de facto complainant for settling someone in Mumbai and also executed promissory notes and issued cheques, however, he has not repaid the same and cheated the de facto complainant.



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4. He further submitted that the de facto complainant had sent the said amount to the petitioner through RTGS on 21.06.2022. He also submitted that the case is still under investigation, no amount was recovered from the accused so far and the second and third accused are still absconding. Therefore, if the petitioner is released on bail, there is every possibility of him absconding and not available for further investigation.

5. Taking into consideration the facts and the submissions made by the learned Government Advocate (Crl.Side) that the investigation is at initial stage and the two of the accused are still absconding and also considering the conduct of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

05.07.2024

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