



CRL OP(MD).No.6472 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6472 of 2024

Abdul Kupoor @ Abdul Kapoor

... Petitioner/ Accused

Versus

The State Rep. By
The Inspector of Police,
DCB Police Station,
Tirunelveli District.
(Crime No.6 of 2024)

... Respondent/Complainant

For Petitioner : Mr.D.Selvanayagam,
Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

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

PRAYER :-

For Bail in Crime No.6 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.6



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of 2024 for the offence under Sections 408, 420, 465, 468, 477A, 109, 120B IPC and remanded him into judicial custody on 04.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The defacto complainant, who is an Advocate practising at Tirunelveli Bar Association, has started a Finance Company on 03.04.2024 and registered the same as SFIN & INVST and appointed the petitioner as the Manager on 26.01.2015 and A2 as Cashier in the year 2016. The petitioner herein is arrayed as A1. In the year, the petitioner along with A2 created false documents in their relatives' names and misappropriated a sum of Rs.5,93,46,025/-. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 04.03.2024. He further submits that for the alleged occurrence said to have taken place in the year 2019, a criminal complaint has been lodged in the year 2024 and the respondent Police has registered the case in a mechanical manner and arrested the petitioner on 04.03.2024.

4. The learned Government Advocate (Crl. Side) opposes for grant of bail on the ground that the investigation is yet to be completed.



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5. The defacto complainant, who is a practising Advocate and also a Member of the Tirunelveli Bar Association has started a Finance Company and registered the same as SFIN and INVST. The petitioner was appointed as a Manager in the Finance Company and he was working from the year 2015 and 2019. The allegation as against the petitioner is that he along with A2 has misappropriated a sum of Rs.5,93,46,025/- and deposited the same in different accounts. This occurrence had taken place in the year 2019, for which, the complaint has been lodged in the year 2024.

6. Considering the facts and circumstances of the case, the nature of offence and also considering the period of investigation, this Court is inclined to grant interim bail to the petitioner.

7. Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tirunelveli.



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ii) the petitioner and the sureties shall submit a copy of their Aadhar Card or any other identity card issued by the Government in proof of their residential address;

iii) the petitioner shall appear before the respondent Police as and when required for interrogation and shall co-operate for the investigation;

iv) the petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses and he shall be available for the trial as well;

v) on violation of any of the above conditions by the petitioner, the respondent Police shall move an application for cancellation of bail.

sd/-
24/04/2024

/ TRUE COPY /

24/04/2024
Sub-Assistant Registrar()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3 THE INSPECTOR OF POLICE
DCB POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO Mr.D.Selvanayagam, ADVOCATE IN SR No.5003 dated 26/04/2024

ORDER
IN
CRL OP(MD) No.6472 of 2024
Date :24/04/2024

SS/SAR- /24/04/2024/5P/7C

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