

IN THE COURT OF JUDICIAL MAGISTRATE NO. IV: MADURAI.

Present R.Sundara Kamesh Marthandan, B.L.

Judicial Magistrate No.IV, Madurai

Monday on this 14th day of December 2020

Cr. M.P. No. 2503 of 2020

Navaneethan, (30/2020)
son of Sarangabani

...

Petitioner/ Accused

-vs-

State of Tamil Nadu,
Represented by Inspector of Police,
CBCID, Madurai.
Crime No. 01 of 2020
under Sections 408, 420, 381 IPC

...

Respondent/Complainant.

Bail Petition filed under Section 437 Code of Criminal Procedure.

1) This Petition coming up today before me and upon hearing the order of Mr. R.Manoharan, Counsel for the Petitioner and upon hearing the argument of Assistant Public Prosecutor, this court passes the following: -

ORDER

2) This Petition is filed under Section 437 Cr. P.C. The Petitioner was arrested and remanded to Judicial Custody on 25.11.2020 for offences alleged under Sections 408, 420, 381IPC.

3) The Petitioner contended that, he has nothing to do with the offences alleged against him and that he is innocent.

4) The Respondent had strongly opposed granting of bail to Petitioner. The Respondent contended that the investigation was transferred from Cr.No.72 of 2020, Thirunagar Police Station to CBCID by the Hon'ble High Court in it's order dated 04.03.2020 made in CrI.O.P.Nos.2716 and 2733 of 2020 and FIR has been registered in Cr.No.01 of 2020 and petitioner herein has been arrayed as 1st accused. In the said order the bail granted to Ravikumar and Kalidass was also cancelled. The Hon'ble

Madras High Court, in the said order has observed as follows:

“11. It is case of theft in the Bank by its own officials. The core issue before the investigation officer is who had removed 316.50 grams of jewels kept in the locker. When admittedly the locker key is in the custody and possession of A2 and A3. CCTV footage indicates the presence of A1, A2, A3 as well as the defacto complainant on 18.11.2019 at the Bank premises. The statement given by A1 and A3 before his Branch Manager are incriminating document against these persons accused of offence.

12. The de-facto complainant in his complain has stated that when he controverted with A1, he informed that key was given to him by A3. Further, he was admitted that he only removed the jewels and promised to return the jewels within few days. A1 is still absconding and the investigation agency is not taken any effort to secure him”.

5) Considering the rival submissions made on either side and the gravity of the offences involved and that the allegations are made against the Bank officials who are custodian of it's customer's property have involved this Court is not inclined to enlarge the Petitioner on bail. Hence the Bail Petition is DISMISSED.

Dictated by me to the Steno Typist and Typed by her in computer directly and corrected and Pronounced by me via e-mail on this 14th day of December 2020.

S/d- R.Sundara Kamesh Marthandan,
Judicial Magistrate IV,
Madurai.