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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 03/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

**CRL OP(MD) . No.12070 of 2023**

Arun

... Petitioner/Accused No.3

Vs

The State Rep.by  
The Inspector of Police,  
District Crime Branch,  
Kanyakumari District.  
(Crime No.36 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Lenish L,

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

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

PRAYER :-

For Bail in Crime no.36 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A3 who was arrested and remanded to judicial custody on 07.06.2023 for the offences under sections 120 (B), 406,409,420 of IPC in Crime No.36 of 2023 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the defacto complainant was working as an Area Manager in M/s.ICL Fincorp Ltd and extending gold loan facility to the customers on pledged gold jewels. During the course of business, they recruited A1 as Assistant Branch Manager in Karungal Branch in the year 2019 and later promoted him as a Manager. Apart from the above, a Manager and three staffs were recruited for the purpose of Junior Officers. Further the gold pledged in the company shall be in the joint custody of the Branch Manager and other authorised persons. After audit report, they found the gold jewels were missing in the locker, which was maintained by the first accused. Hence, the case.



3. The earlier petition was dismissed by this Court on 22.06.2023. Within a week, this petition has been filed by the petitioner stating that the petitioner has not committed any offence as alleged by the prosecution. The entire allegation is against the first accused. The petitioner is working as a Branch Manager only.

4. During the course of investigation, it is stated that the accused persons will settle the amount, but so far amount is not recovered. It is seen that large scale of public amount had been misappropriated by the accused persons by pledging and re-pledging by forging the documents. Without the involvement and aid of other accused persons, the first accused could not have committed the said offence.

5. Though the petitioner is in custody from 07.06.2023 and this is the second petition for bail, considering the stage of investigation and nature of grave offence committed by the petitioner, this Court is not inclined to enlarge the petitioner on bail.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-  
03/07/2023

/ TRUE COPY /

/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE OFFICER INCHARGE,  
CENTRAL JAIL, NAGERCOIL.
- 2 THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH, KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.12070 of 2023  
Date :03/07/2023

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