



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Fourth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10723 of 2015

P.K. SURESH

S/O. H. PARAMESWARA IYER, MANAGER, KARUR
VYSYA BANK, NAGERCOIL, BRANCH, NAGERCOIL,
KANYAKUMARAI DISTRICT.`

... PETITIONER/ACCUSED NO.3

Vs

STATE REP BY

THE SUB INSPECTOR OF POLICE
VADASERI POLICE STATION,
KANYAKUMARAI DISTRICT,
(CRIME NO.210 OF 2015.)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.PALA. RAMASAMY Advocate

For Respondent : Mr.K.V. RAJARAJAN, Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 420 of I.P.C., in Crime No.210 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant / the Managing Director of M/s. Suvetha Force, the third accused / Manager of the Karur Vysia Bank without knowledge and consent of the de-facto complainant, permitted the accused 1 and 2 to open a current account in the name of the firm and also allowed them to operate and thereby the accused have cheated to the tune of Rs.94,17,279.



3. The learned counsel for the petitioner submitted that the petitioner was functioning as a Manager of Karur Vysia Bank at the time of alleged occurrence and based on the document produced by the accused 1 and 2, he permitted them to open the account and he is nothing to do with the alleged offence.

4. The learned counsel for the intervenor vehemently submitted that the petitioner, who is the responsible officer of the Bank had colluded with the accused 1 and 2 and thereby cheated the de-facto complainant.

5. The learned Government Advocate (crl.side) filed a counter affidavit and contended that huge amount of the de-facto complainant was cheated by the accused.

6. However, considering the fact that the petitioner was functioning as a Manager of the Karur Vysia Bank and the accused 1 and 2 have misappropriated the amount of the de-facto complainant, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.II, Nagercoil and on his 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands



It is made clear that the accused 1 and 2 shall not take advantage of the order passed in this petition.

sd/-
04/08/2015

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE II, NAGERCOIL.
- 2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE, VADASERI POLICE STATION,
KANYAKUMARAI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PALA. RAMASAMY Advocate SR.No. 44235.

ORDER
IN
CRL OP(MD) No.10723 of 2015
Date :04/08/2015

CSL /KBM/SAR-II/07/08/2015
3P/6C