



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.1669 of 2015

MOHANPANDI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE.REP.BY,
THE INSPECTOR OF POLICE
CITY CRIME BRANCH, MADURAI CITY POLICE,
CRIME NO.20 OF 2015
MADURAI DT

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUTHALRAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable u/s 406 IPC in Cr.No.20 of 2015, seeks anticipatory bail.

2. Heard Mr.S.Muthalraj, learned counsel for the petitioner and Mr.A.P.Balasubramanian, learned Govt.Advocate [crl.side] appearing for the State.

3. Initially when the petition was filed, the crime number was shown as "not known". Hence, this Court granted interim anticipatory bail on 02.02.2015 to the petitioner for a period of two weeks, with a direction to the petitioner to appear before the respondent police. The respondent police has today filed the Status Report in which they have stated that, they have registered a regular case in Cr.No.20 of 2015 for the offence u/s 409, 468, 471 and 420 IPC.

4. The de facto complainant in this case is the Superintendent of Post Offices, North Division, Madurai. This petitioner was working as Postal Officer in Virathanur Branch Post Office in the year 2012. In the complaint, the Superintendent of Post Offices has given 9 instances, in which this petitioner has forged the signatures of the account holders and has withdrawn money to a total tune of Rs.41,700/-. The learned counsel for the petitioner submitted that even on the reading of the complaint it has been stated that the petitioner has only temporarily defalcated the amount and that he has repaid the amount in the Post Office and therefore, he submitted that this Court may grant anticipatory bail to the petitioner.

5. On a reading of the complaint, it is seen that the petitioner has forged the signatures of Nagammal, Ponnuthai and Seethai, who are all poor villagers and who have been maintaining Savings Bank Account in the Post Office with their hard earned money as coolies. The



petitioner has not only forged their signatures, but have manipulated the accounts of the Post Office in order to cover up the offence. Most of the account holders are illiterate villagers who were affixing their thumb impression and taking advantage of this, the petitioner has put his thumb impression to pass the payment to himself. Therefore, custodial interrogation of this petitioner is essential for getting his thumb impression and for further investigation. Just because the petitioner returned the money, sympathy cannot be shown to him in view of the serious nature of the allegation against him. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

24/02/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH, MADURAI CITY POLICE,
MADURAI DT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.NA.PALANIYANDI, Advocate SR.No.8431

ORDER

IN

CRL OP(MD) No.1669 of 2015

Date :24/02/2015

PA/25.02.15/2P/4C