



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

Tuesday, the Seventeenth day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.18913 of 2015

1 K. GANESAN

K. GANESAN

... PETITIONER/ ACCUSED
RANK NOT KNOWN

Vs

STATE THROUGH THE
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKOTTAI DISTRICT.
[CRIME NO. NOT KNOWN OF 2015]

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S J.ANANDKUMAR Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

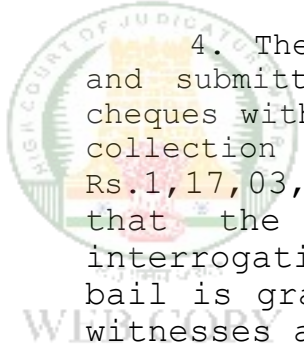
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B), 409, 420, 465, 468, 471 and 477(A) of I.P.C., in Crime No.16 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner while working as Superintendent in the Directorate of Health Services, Pudukottai in Account Section, manipulated the cheques signed by the Deputy Director and the Administrative Officer and misappropriated a sum of Rs.1,17,03,695/- by depositing cheques in his personal account and cheated the Government in between 01.12.2013 and 20.10.2014. On complaint, a case was registered for the aforesaid offences.

3. The learned counsel for the petitioner submitted that the petitioner has no power to sanction any amounts payable to the contractor and only his higher officials have power to disburse the amount. It is further submitted that the petitioner is innocent and he is a respectable person and will not respond and evade due process of law and already the respondent enquired the petitioner and the petitioner was permitted to retire from service.



4. The learned Additional Public Prosecutor filed a status report and submitted that the petitioner misappropriated huge amounts in 26 cheques without the knowledge of the complainant and sent the cheques for collection in his personal account and credited a sum of Rs.1,17,03,695/- to his personal account. It is further submitted that the investigation is still pending and the custodial interrogation of the petitioner is necessary and if anticipatory bail is granted to the petitioner, he will tamper the documents and witnesses and the investigation will be affected.

5. From the materials on record, it is seen that the cheques and other records had been manipulated and according to the de-facto complainant, a sum of Rs.1,17,03,695/- was given credit to the petitioner's personal account from the funds allotted to National Rural Health Mission was misappropriated and the amounts did not reach the beneficiaries.

6. Considering the nature and gravity of the offence and facts, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
17/11/2015

/ TRUE COPY /

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

TO,

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

ORDER
IN
CRL OP(MD) No.18913 of 2015
Date :17/11/2015

GJM/JGB/SARII-26.11.2015-2P-3C