



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

Wednesday, the Fourteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19658 of 2015

M.ARUNACHALAM

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.
CR. NO.465/2015

..RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.SUBASH BABU Advocate

For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

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

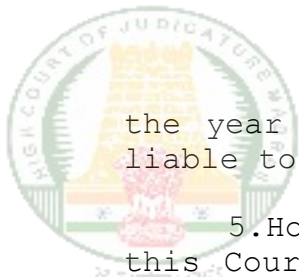
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 406 and 420 of IPC, in Crime No.465 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant that when the accused was working as Accounts Manger in the Everlast Roofing Company, situated at No.6, Automobile Co-operative Industrial Estate, Kappalur, Madurai, he has swindled Rs.8,00,000/- in the year 2014 and Rs.24,14,776/- in the year 2015 and in this regard, show cause notices were issued on 18.08.2015 and 20.08.2015 and thereafter, admitting his liability, he transferred Rs.14,53,000/- from his account to the Company account and still, he is liable to pay Rs.17,61,776/-.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the de-facto complainant issued 1st show cause notice on 18.08.2015 alleging that the accused misappropriated Rs.15,00,000/- and the 2nd show cause notice was issued on 20.08.2015 alleging that he misappropriated Rs.24,14,776/-. It is further submitted that the petitioner/Accused was taken illegal custody by the de-facto complainant and by force, the petitioner was compelled to transfer Rs.14,53,000/- from his bank account to the company account and now, they are claiming Rs.17,00,000/- without any basis.

<https://hcservices.ecourts.gov.in/hcservices/> The learned Government Advocate (Criminal side) appearing for the respondent submitted that as per the complaint, the accused has misappropriated Rs.8,00,000/- in the year 2014 and Rs.24,14,776/- in



the year 2015 and after his payment of Rs.14,53,000/-, still he is liable to pay about Rs.17 Lakhs to the de-facto complainant.

5.However considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thirumangalam and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 dismissed.

sd/-
14/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S M.SUBASH BABU Advocate SR.No.61335

Akm/16.10.2015 /2p-6c/

ORDER
IN
CRL OP(MD) No.19658 of 2015
Date :14/10/2015