



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

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21930 of 2015

RAJENDRAN ... PETITIONER / ACCUSED RANK NOT KNOWN
Vs

1 THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT,
CRIME NO.25 OF 2015.

... RESPONDENT/COMPLAINANT

2 GIRIRAJAN ... RESPONDENTS / DEFACTO COMPLAINANTS

For Petitioner : M/s.M.Subash Babu, Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

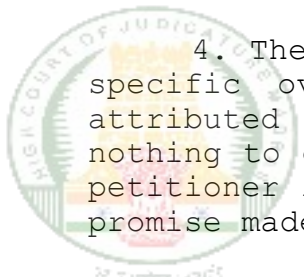
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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), 406 and 420 of IPC, in Crime No.25 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that FSS Firm is the Central Agency for the State Bank of India, for filling cash in ATM Centres and maintaining them. RCI Firm is the sub-agency of FSS Firm, for filling cash and maintaining 5000 ATM Centres in India, including four SBI ATM Centres in Virudhunagar District (Srivilliputhur, Malli, Dhalavaipuram, Watrap). The said RCI Agency appointed A1-Imam Raja Mohamed and A2-Sadham Hussain of Rajapalayam, for filling cash in SBI ATM Centres (Srivilliputhur, Malli, Dhalavaipuram, Watrap) in Virudhunagar District. Subsequently, in January 2015, the said FSS Agency requested the RCI Agency to handover the SBI ATM Centres to the Central Agency. On 29.06.2015, when the de-facto complainant went to the SBI ATM Centres along with A1 and A2, and inspected the amount in SBI ATM Centres with the help of one Suresh Babu, who is working as Operation Manager in RCI, they found that a sum of Rs.81,91,000/- was in shortage. A1 admitted the shortage and gave assurance to handover the cash within few hours. Thereafter, he was arrested on 14.11.2015 at Rajapalayam and remanded to judicial custody. On investigation, he confessed that he handed over Rs.42,00,000/- to the petitioner, who promised to return Rs.50,00,000/- to A1. Hence, a case has been registered in Crime No.25 of 2015 for the offences stated above.

3. The case of the petitioner is that he is an innocent person and has not committed any offence as alleged by the prosecution.



4. The learned counsel for the petitioner submitted that there is no specific overtact attributed to the petitioner. The only overtact attributed is A5-Senthil Murugan introduced the petitioner and he is nothing to do with the alleged offence. The charges levelled against the petitioner is that A1 handed over Rs.42,00,000/- to the petitioner on the promise made by him that he will pay Rs.50,00,000/- to A1.

5. Considering the facts and circumstances of the case and the nature of the charges levelled against the petitioner, custodial interrogation of the petitioner is not necessary. Therefore, 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 No.I, Virudhunagar, 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 dismissed.

sd/-
04/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.VENKATESAN Advocate SR.No.69715

sm:MP-PM:SAR II:08.12.2015:2P/6C

ORDER
IN
CRL OP(MD) No.21930 of 2015
Date :04/12/2015