



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

Thursday, the Twenty Sixth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22340 of 2015

M. PALANIKUMAR

... PETITIONER / SOLE ACCUSED

Vs

1. THE STATE REP. BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT,
CR NO.33/2015.

... RESPONDENT / COMPLAINANT

2. MR.MALLEESWARAN
BRANCH MANAGER,
STATE BANK OF INDIA,
PARAMAKUDI BRANCH,
RAMANATHAPURAM DISTRICT.

... RESPONDENTS / DEFACTO COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU 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 sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 409 IPC in Crime No.33 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

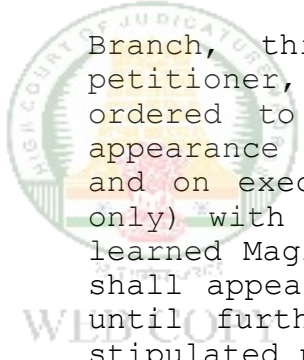
2.The case of the prosecution is that the defacto complainant, the Branch Manager of State Bank of India, Paramakudi Branch gave a complaint before the respondent police alleging that the petitioner is working as Assistant in State Bank of India and he was the in-charge of the jewel loan section. While he was working as Assistant, he misappropriated a sum of Rs.4,14,500/-.

3. The case of the petitioner is that the petitioner has not committed any offence and he never misappropriated the amount as alleged by the prosecution and only at the request of the customer, he credited the part amount in the loan account and credited the remaining amount in their Savings Bank Account.

4. The learned counsel for the petitioner submitted that the petitioner has already paid entire amount to the State Bank of India and they transferred the petitioner to Chennai Bench.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the fact that the petitioner has repaid the amount to the bank, and he has been transferred to State Bank of India, Chennai



Branch, 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 arrest or on his appearance before the learned Judicial Magistrate No.II, Ramanathapuram, and on 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 on every Sunday at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-
26/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II
RAMATHANAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT,

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

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.67912

ORDER IN
CRL OP(MD) No.22340 of 2015
Date :26/11/2015

SH/SKS-JGB/SAR-I:30.11.2015:2P/6C