



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

Friday, the Eleventh day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22892 of 2015

1 PRAMOD NAYAR
2 PARVATHI
3 MADHURI

... PETITIONERS / ACCUSED 1 to 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
C-5, KARIMEDU (CRIME) POLICE STATION,
MADURAI CITY,
CR NO.1007 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.VENKATESH Advocate

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

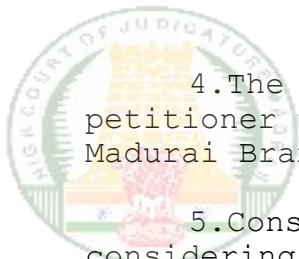
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 of IPC, in Crime No.1007 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that while the first petitioner was working as an Accountant at Madurai Branch of M/s.Lawson Travel and Tours misappropriated a sum of Rs.20,81,874/- by depositing the said amount in his relative account, subsequently he left the job. The accused No.1 agreed to repay the said amount and the accused No.2 guaranteed the amount but the first accused did not repay the amount to the defacto complainant company. Therefore, the case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution and there is no approval for conducting business at Madurai Branch, therefore, the amounts were deposited in ICICI Bank account of Chennai Branch. Due to the pressure of work, the first petitioner left the Branch. One Mr.Pramod Mathew, the then Manager of Chennai Branch approached the petitioner and informed that Rs.6,50,000/- was in shortage. The first petitioner gave a cheque for the said amount. The cheque was not encashed. In December, 2014, one Anbu Natchiappan, the Manager of Chennai Branch approached them and stated that a sum of Rs.9,80,000/- was found shortage and also received a sum of Rs.50,000/- from the first petitioner. Again the officials of the defacto complainant company informed that there is a shortage of Rs.21,00,000/- and they are pressurising to sign in a letter for admitting the amount and undertaking to pay the same.



4.The learned Government Advocate (Crl.side) submitted that the petitioner while working as an Accountant of M/s.Lawson Travel and Tours, Madurai Branch misappropriated a sum of Rs.6,50,000/-.

5.Considering the facts and circumstances of the case and also considering the fact that the alleged incident took place in between January, 2014 and August, 2014 and the first petitioner left the job in August, 2014 and according to the petitioner, the defacto complainant increased the alleged misappropriation of Rs.6,50,000/- to Rs.9,80,000/- and now Rs.21,00,000/- and the first petitioner issued a cheque for a sum of Rs.6,00,000/-, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.V, Madurai and on each of them 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 first petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners Nos.2 & 3 shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
11/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V
MADURAI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
C-5, KARIMEDU (CRIME) POLICE STATION,
MADURAI CITY,

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

+1. CC to M/S D.VENKATESH Advocate SR.No.71146

ORDER
IN
CRL OP(MD) No.22892 of 2015
Date :11/12/2015