



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

Tuesday, the Twentieth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23030 of 2014

P.SIVAKUMAR

... PETITIONER / SINGLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
CCIW KARUR, CRIME NO.3/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.ILLANCHEZIAN Advocate

For Respondent : MR.C.RAMESH, Government Advocate (Criminal Side)

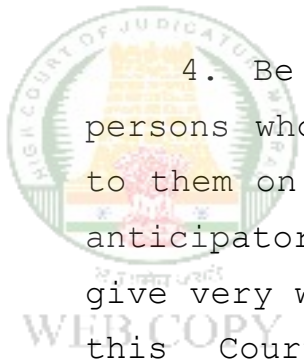
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 403, 406, 408, 420, 467, 468 and 477(A) of Indian Penal Code in Crime No.3 of 2014, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that this petitioner was working in Keelaveliyur Agricultural Co-operative Credit Society as Senior Clerk and thereafter, he was in-charge as Secretary from 01.11.2011 and in the audit report, it was found that he has embezzled around Rs.72 Lakhs of money for a period of time. Surcharge proceedings were initiated and only thereafter, this First Information Report has been registered in this case.

3. The learned counsel for the petitioner submits that during the surcharge proceedings, the petitioner has already refunded Rs.48 Lakhs and the property worth about Rs.40 Lakhs has also been attached, against which, he is also agitating, by filing appropriate application before the Co-operative Tribunal.



4. Be that as it may, this Court cannot show indulgence to persons who misappropriate public funds and grant anticipatory bail to them on the ground that they have returned 50% of the amount. If anticipatory bail is granted in such cases of this nature, it will give very wrong signal to the Society, inasmuch as it will amount to this Court condoning such acts of malfeasants. Under such circumstances, I am not inclined to grant anticipatory bail to the petitioner. Hence, the petition for anticipatory bail stands dismissed.

sd/-
20/01/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, CCIW KARUR.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.V.ILLANCHEZIAN, Advocate SR.No.2797.

ORDER IN
CRL OP(MD) No.23030 of 2014
Date :20/01/2015

msm 22.01.2015 p2/4c