



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

Thursday, the Twenty Ninth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23612 of 2014

S.ARICKIASAMY ... PETITIONER/ACCUSED NO. 1

Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIMEBRANCH, SIVAGANGAI DISTRICT.
CR. NO.58/2014. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.PERUMAL Advocate
For Respondent : MR.C.RAMESH Govt. Advocate (Crl. 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 409, 464, 420, 487 and 120(b) IPC in Crime No.58 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. On a complaint dated 10.12.2014, lodged by the Assistant Director of Panchayats, Sivagangai District, this case has been registered by Police.

4. The crux of the allegation, as disclosed in the counter filed by Police is as follows:

"2....The brief fact of the complaint is that the District Collector Sivagangai ordered to verify the accounts of funds given by the Tamil Nadu State Government to the 445 village Panchayat from November 2011 to October 2014 recording the Finance I & II. On verifying the same, compared with the bank list, it found that the released funds of various Panchayat were partly or fully took and the same funds were deposited in the name of Alangulam Panchayat President Ravichandran's unauthorized accounts. The above said cheating happened with the help of one Arokiyasamy who worked as Assistant



in the office of the De-facto complainant. The deposited amount were took by the A2 Ravichandran by various dates. The A3 vice President Sudha and A1 Arokiasamy got share from A2. By this they cheated Rs.35,29,325/-."

5. This Court dismissed the anticipatory bail petition of A2 and A3 in Crl.O.P.(MD) No.22732 of 2014.

6. Learned counsel for the petitioner produced the proceedings of the District Collector and the show cause notice issued against the petitioner and submitted that the petitioner is being departmentally prosecuted for these irregularities.

7. Be that as it may, it appears that the funds that were allotted to Panchayat have been siphoned by A2 and A3 with the active connivance of this petitioner in an ingenious method inasmuch as accused have opened another account other than the authorized account without the knowledge of the District Collector and have siphoned the funds.

8. Taking into consideration the gravity of allegations against this petitioner, this Court is not inclined to grant anticipatory bail to this petitioner. Hence, Criminal Original Petition is dismissed.

sd/-

29/01/2015

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, SIVAGANGAI DISTRICT.

2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.PERUMAL Advocate SR.No.4434

ORDER

IN

CRL OP(MD) No.23612 of 2014

Date :29/01/2015

AA/05.02.2015/2p- 4c/