



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

Tuesday, the Seventeenth day of March Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2585 of 2015

KALIRAJ

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION, TIRUNELVELI DT,
CRIME NO.NOT KNOWN OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D. VENKATESH Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

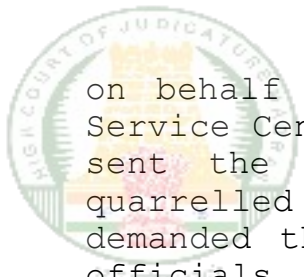
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 506(ii) and 420 IPC in Crime No.106 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. This petition was filed by showing the Crime Number as "Not Known" and therefore, this Court granted interim anticipatory bail to this petitioner on 13.02.2015 on condition that he should report before the respondent police daily at 10:30a.m. for two weeks.

4. It is represented by the learned Government Advocate (Crl.Side) that the respondent police have registered a regular case in Crime No.106 of 2015 for offences under Sections 294(b), 323, 506 (ii) and 420 IPC.

5. It is the case of the defacto complainant that he wanted to send his daughter to China for higher studies. The accused also wanted to send his daughter to China for the same purpose. Therefore, the accused and the defacto complainant paid a sum of Rs.4,25,000/- each to North American Service Centre, Chennai, who is the Agent for sending students to China for higher studies. The daughter of the accused went to China in the First Batch. Since the defacto complainant's daughter was not sent to China, the accused,



on behalf of the defacto complainant, had gone to North American Service Centre and questioned the authorities as to why they had not sent the defacto complainant's daughter to China. The accused quarrelled with the officials in North American Service Centre and demanded the return of money paid by the defacto complainant. The officials handed over Rs.2,00,000/- to the accused in four installments and after having received the amount, the accused did not inform to the defacto complainant about the receipt of money and thereby misappropriated the same to himself.

6. Thus, it is clear that the petitioner has unjustly misappropriated the money of the defacto complainant by collecting the same from North American Service Centre without the defacto complainant's knowledge. The allegations are very serious.

7. In view of the serious nature of the allegations, this Court is not inclined to grant anticipatory bail to this petitioner. Hence, the Criminal Original Petition is dismissed.

sd/-

17/03/2015

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

TO

- 1 THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION, TIRUNELVELI
- 2 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.2585 of 2015

Date :17/03/2015

AA/20.03.2015/2p- 3c/