



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3511 of 2015

K.DURAIRAJ

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
C.C.W.C.I.D., THANJAVUR.
CRIME NO.4 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.RAMU Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 403, 406, 408, 420, 468, 477(A), 120(b) r/w 34 IPC in Crime No.4 of 2014 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 is third anticipatory bail petition filed by the petitioner. At the time of hearing of this petition on 12.03.2015, learned counsel for the petitioner submitted that the petitioner's grand son had died and prayed for interim anticipatory bail in order to take part in the obsequies. Therefore, this Court granted interim anticipatory bail for a period of two weeks.

4. The case of the prosecution is that this petitioner was working as Secretary of T.A.28 Maharaja Samuthiram, Primary Agricultural Co-operative Credit Society during the relevant period. It is alleged that this petitioner and the co-accused have committed misappropriation of the co-operative Society's funds under five heads. The crux of the allegation is that the accused had re-pledged the jewels that were already pledged by the members without the knowledge of the members and the Society lost to the tune of Rs.9,87,931/-.

5. The respondent police have filed a status report, strongly objecting to the grant of anticipatory bail to this petitioner, wherein in Paragraph No.4, they have stated as follows:

"4. I submit that I have to send the original Jewel Loan Ledger which contains signature of members and sample signatures of members and cash book to the Handwriting Expert, Forensic Science Lab, Madurai for analyzing the signatures, in order to ascertain the genuineness of signature as in Jewel Loan Ledger and cash book. The whereabouts of 1st accused is not



known and the 1st accused has to sign admitted signatures, then only Jewel Loan Ledgers and cash book can be sent to Handwriting Expert, Madurai."

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

WEB COPY

sd/-
30/03/2015

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
C.C.W.C.I.D., THANJAVUR.
2. THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

SR : 07.04.2015 : 2P/3C

ORDER
IN
CRL OP(MD) No.3511 of 2015
Date :30/03/2015