



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

Tuesday, the Twenty First day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.5949 of 2015

WEB COPY

KANNAN,

... PETITIONER/ACCUSED NO.4

V.RAVINDRAN,

... INTERVENER

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, SIVAGANGAI,
SIVAGANGAI DISTRICT,
IN CRIME NO.9/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.VINAYAGAN Advocate

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

For Intervener : MR.V.KATHIRVEL, Senior Advocate

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is A4 and he was arrested on 11.03.2015 and remanded to judicial custody for the alleged offences punishable under sections 464, 477(A), 471, 406, 409, 420, 120(B) r/w 34 of IPC, in Crime No.9 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the accused were employees of Dhanalakshmi Seenivasan Chit Funds, Karaikudi branch and they have collected subscription amount from the public, but failed to deposit the same in the Chit company and thereby, misappropriated a sum of Rs.97 Lakhs.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is only a collecting agent and even as per the case of the prosecution, the petitioner had collected Rs.1 Lakh from the customers and defaulted in deposit of the amount with the Company.

4.It is further contended that the main accused were arrested and released on bail by the trial court.



5.Mr.V.Kathirvel, learned Senior counsel appearing for the intervenor has vehemently opposed the application stating that the employees have cheated the company to the tune of Rs.97 Lakhs and the Company is answerable to 114 depositors of the company.

6.It is further submitted that the de-facto complainant has moved an application for cancellation of bail, in respect of the bail granted by the trial court to the other accused persons.

7.Heard the Government Advocate (Criminal side) appearing for the respondent.

8.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody since 11.03.2015, this Court is inclined to grant bail to the petitioner with certain conditions.

9.Accordingly, the petitioner is ordered to be released on bail, on his executing a personal 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 Judicial Magistrate No.II, Sivagangai and on further condition that **the petitioner shall deposit a sum of Rs.50,000/- [Rupees Fifty thousand only] to the credit of Crime No.9 of 2015** and the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-

21/04/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, SIVAGANGAI
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, SIVAGANGAI, SIVAGANGAI DISTRICT.
- 4 THE OFFICER-IN-CHARGE, SUB JAIL, SIVAGANGAI
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.VINAYAGAN Advocate SR.No.20629

+1. CC to M/S.K.PRABHU Advocate SR.No.20447

ORDER IN

CRL OP(MD) No.5949 of 2015

Date :21/04/2015