



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

Tuesday, the Seventh day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9027 of 2015

WEB COPY

J. MADHAVAN

... PETITIONER/ACCUSED - 1

Vs

STATE REP.BY
THE STATE REP. BY THE
INSPECTOR OF POLICE, C.C.I.W.,
C.I.D., THENI DT.
(CR.NO.3/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 408, 468, 471, 477-A I.P.C., r/w 109 I.P.C., in Crime No.3 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the Deputy Registrar, Co-operative Societies, when the petitioner/A.1 was working as Assistant/Manager (in charge) of MDCC Bank, Uthamapalayam, without following the guidelines and on the basis of the forged documents, lent loan and thereby caused loss of Rs.Fifteen Lakhs to the Society.

3. The learned Counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and the petitioner had retired on attaining superannuation on 30.07.2011 and the loan was given strictly following the guidelines and as per the recommendation of the higher Officials. It is further submitted that the Co-operative Society has conducted enquiry under Section 81 of the Co-operative Society Act and initiated surcharge proceedings under Section 87 of the Act and all the borrowers were arrayed as respondents in the proceedings. He further submitted that after the surcharge



proceedings, now the recovery proceedings initiated and the execution petitions are pending.

4. The learned Counsel for the petitioner further submitted that the petitioner has appeared before the enquiry officer and submitted that the petitioner was not given sufficient time to recover the loan amount and he was wrongly placed under suspension and also the successor has not properly taken steps to recover the loan amount.

5. Per contra, the learned Government Advocate (Crl.Side) submitted that the petitioner by forged documents and in violation of the guidelines had lent to the ineligible persons and caused huge loss to the Society.

6. Considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/07/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
C.C.I.W., C.I.D., THENI DT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.N.SATHISH BABU Advocate SR.No.37274

ORDER
IN
CRL OP(MD) No.9027 of 2015
Date :07/07/2015

PA/SJW/09.07.2015/2P/4C