



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

Tuesday, the Sixteenth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9928 of 2015

WEB COPY

GANESHKUMAR

... PETITIONER/ACCUSED No.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANNATHAPURAM ,
RAMANATHAPURAM DISTRICT.
(CRIME NO.42 OF 2014).

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI 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 accused No.2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 409 and 420 of I.P.C., in Crime No.42 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2. The District Manager of TASMAL, Manapuram lodged a complaint alleging that when she inspected wine shop at Manapuram found shortage of materials for Rs.6,84,720/- which was misappropriated by the accused.

3. The learned counsel for the petitioner submitted that the accused 1, 3 and 5 were in-charge of the wine shop and the petitioner is a salesman in a bar and he has nothing to do with the alleged offence. It is further submitted that on 25.08.2014, accused 1, 3 and 5 gave a letter to the respondent admitting to pay the entire misappropriated amount to them within a period of two days and so far they have paid Rs.3,98,000/- and the balance amount has to be paid by the first accused. The learned counsel for the petitioner further submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that the
<https://hcservices.ecourts.gov.in/hcservices/>
accused 3 and 5 have paid Rs.3,98,000/- and the balance amount has to be



recovered from the first accused, who is still absconding and the petitioner was working as a salesman in the bar.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the Judicial Magistrate No.II, Ramanathapuram, Ramanathapuram District and on executing a 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 6.00 p.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
16/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.
 - 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANNATHAPURAM ,
RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.31137

ORDER
IN
CRL OP(MD) No.9928 of 2015
Date :16/06/2015