



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

Friday, the Twelfth day of August Two Thousand Sixteen  
PRESENT

**The Hon`ble Ms.Justice V.M.VELUMANI**

CRL OP (MD) No.13939 of 2016

WEB COPY

M.SRIDHER

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

DISTRICT CRIME BRANCH POLICE STATION,

VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT

CRIME NO.13 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.J.CHAKKARAVARTHY Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate ( Crl. Side)

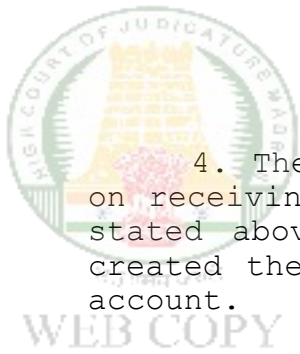
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 468, 471 and 420 IPC, in Crime No.13 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the *de-facto* complainant - Balaji is working in ICICI Bank and the said Bank is having its Head Office at Bandra Kurla, Mumbai Bandra East. While so, M/s.Uttar Pradesh Power Corporation Limited [UPPCL], which is operating bank account with Moradhabadh Branch of the ICICI Bank, sent a cheque bearing No.403232, for Rs.4,25,000/- in favour of Amudha Channels, which is having a Bank Account with Vijaya Bank, Virudhunagar Branch. The petitioner herein is the owner of the said Amudha Channels and he is a customer of the Vijaya Bank, Virudhunagar Branch. When the cheque said to be drawn in favour of Amudha Channels was presented for encashment with ICICI Bank, Virudhunagar Branch, the said Branch after subjecting the said cheque to Cheque Truncation System [CTS], transferred the cheque amount into the petitioner's account in Vijaya Bank, Virudhunagar, whereupon, petitioner also withdrew the said amount from the Vijaya Bank. Subsequently, on receipt of a complaint from UPPCL, it was found that the cheque was a forged one and that UPPCL did not issue any such cheque to the petitioner. It was also found that the original cheque and the entire cheque book are with the customer of ICICI Bank. On complaint, a case has been registered for the offences stated above.

3. The case of the petitioner is that he is innocent and he has not committed any offence as alleged by the prosecution. It is not possible for the petitioner, who is residing at Madurai, to create a cheque leaf with exact number contained in the one, given to the Company situated at Moradhabadh. Even in the complaint, it is only stated that the petitioner might have encashed the amount from the Vijaya Bank, Virudhunagar, however, he never encashed the cheque in question.



4. The learned Government Advocate (Criminal side) submitted that, on receiving a complaint, the case has been registered for the offences stated above. He further submitted that it was the petitioner, who created the cheque, encashed the same and deposited the amount in his account.

5. I have considered the rival submissions.

6. A reading of the FIR indicates that the complaint is very specific against the petitioner that he is the person behind creating the cheque and encashing the same for deposit in his own account.

7. Considering the serious nature of allegations made against petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-

12/08/2016

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

TO

- 1 THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH POLICE STATION,  
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.J.CHAKKARAVARTHY Advocate SR.No.44155

ORDER

IN

CRL OP(MD) No.13939 of 2016

Date :12/08/2016

PA/KBM/SAR I/16.08.2016/2P/4C