



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

Friday, the Fourth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) Nos.15913, 16143 and 16507 of 2016

K.S.SENTHILKUMAR ... PETITIONER / ACCUSED
RANK NOT KNOWN
IN CRL OP(MD) No.15913 of 2016

SARANYA ... PETITIONER / ACCUSED no.2
IN CRL OP(MD) No.16143 of 2016

KALEESWARI ... PETITIONER / 3rd ACCUSED
IN CRL OP(MD) No.16507 of 2016

Vs

State represented by
THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION
DINDIGUL DISTRICT
(CR.NO.618 OF 2016)

... RESPONDENT / COMPLAINANT
in all the petitions

For Petitioner : M/S.T.LENIN KUMAR Advocate
in CRL OP(MD) No.15913 of 2016

For Petitioner : No appearance
in CRL OP(MD) No.16143 of 2016

For Petitioner : D.Venkatesh Advocate
in CRL OP(MD) No.16507 of 2016

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)
in all the petitions

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 408 and 417 I.P.C in Crime No.618 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.



2. Heard the learned counsel on either side.

3. The case of the prosecution is that the petitioners, who are Manager and Accountants of K.V.Hospital and Iswarya Fertility Centre, have misappropriated the Hospital money to the tune of Rs.5,93,394/-.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the offence alleged against them. According to the learned counsel for the petitioner in Crl.O.P.(MD) No.15913 of 2016, the petitioner who is working as a Manager, having complete Managerial powers, has lodged a complaint on behalf of the Hospital as there was misappropriation of funds by the employees, who are accused herein apart from him. After the complaint was made, for the best reason known to the management, he was asked to resign. As he refused to do so, the management lodged a fresh complaint against the employees, including Senthilkumar. He would further submit that since there was a pressure on Senthilkumar to resign the job, he raised an industrial dispute, which is pending conciliation, when there is no cessation of employer-employee relationship.

5. Learned Government Advocate (Crl. Side) submitted that based on the complaint given by the Management a case has been registered against all the 3 accused in this matter and after enquiry charge sheet has been filed before the Judicial Magistrate, Palani. He further submitted that the petitioners were granted interim anticipatory bail by this Court and they have already complied with the conditions imposed by this Court in the interim anticipatory bail orders.

6. In view of the same, the interim anticipatory bail already granted is made absolute with an observation that it is open to the petitioners, including K.S.Senthilkumar, the petitioner in Crl.O.P. (MD) No.15913 of 2016, who are in service as on date, to work out their remedy before the trial Court.

sd/-
04/11/2016

/ TRUE COPY /

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

TO



2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT

3 THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION
DINDIGUL DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.66102
+1CC to M/s.D.Venkatesh, Advocate SR.No.66707

sj
sm:ss3:SAR 3:05/12/2016:3P/7C

ORDER
IN

CRL OP (MD) No.15913, 16143 & 16507 of 2016
Date :04/11/2016