



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

**Wednesday, the Twenty Second day of June Two Thousand Sixteen
PRESENT**

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

CRL OP(MD) No.4474 of 2016

R, UDAYA BASKAR

... PETITIONER/PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
S.V. MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT,
CR NO.145 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S D.SADIQ RAJA Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

For Intervener : M/s.C.GODWIN

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

ORDER : The Court Made the following order :-

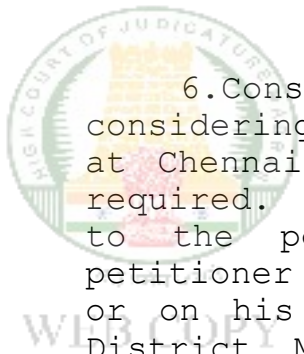
The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B), 409, 420, 468 and 471 of IPC in Crime No.145 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner while working as a Branch Manager at Bank of Maharashtra, Kalapur Branch, granted loan to 14 persons in the name of fictitious persons and mis-appropriated a sum of Rs.28,60,000/-. On complaint, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that he has sanctioned loan as per Rule and he has not mis-appropriated the amount and also he is working in Broadway Service Branch at Chennai and prays for granting anticipatory bail in favour of the petitioner.

4. The learned counsel for the intervenor submitted that the petitioner has opened the account in the fictitious name and mis-appropriated a sum of Rs.28,60,000/- and due to that fact he has been suspended and the suspension order revoked and the charges issued on 12.04.2016.

5. The learned Government Advocate (Crl.Side) submitted that the allegation against the petitioner is that he sanctioned loan of Rs.28,60,000/- in the name of fictitious persons and the loan transactions evidenced by document and the investigation of the case is pending.



6. Considering the facts and circumstances of the case also considering the fact that the petitioner is working in Branch office at Chennai, the custodial interrogation of the petitioner is not required. Hence, 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 arrest or on his appearance before the learned Judicial Magistrate-cum-District Munsif, Thirupathur, Sivagangai District, and on his 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 once in a week i.e on every Sunday at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
22/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE CUM DISTRICT MUNSIF, THIRUPATHUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE, S.V. MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S D.SADIQ RAJA Advocate SR.No. 32302
+1cc to M/S.C.GODWIN, Advocate SR NO: 32269
trp
JA-PEK-SAR.I/24.6.2016/2P-7C

ORDER IN
CRL OP(MD) No.4474 of 2016
Date :22/06/2016