



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

Monday, the Eleventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.6727 of 2016

V. MANIMOZHIYAN

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
(CRIME NO.08/2016)

... RESPONDENT/ COMPLAINANT

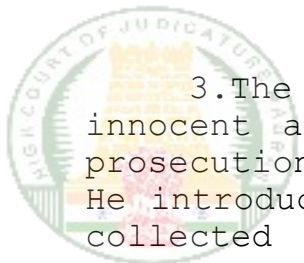
For Petitioner : M/S C.MUTHU SARAVANAN Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)
For Intervenor : M/S.D.S.Haroon Rasheed, Advocate

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 IPC, in Crime No.8 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is having Savings Bank Account and current account in the Axis Bank, Bharathi Nagar Branch, Ramanathapuram District. The petitioner is the Branch Manager of the Bank. He introduced A1 Bharanikanth as Sales Manager and informed to the defacto complainant that he would collect money from customers and will deposit the same in their account in the Bank. Believing the said representation, the defacto complainant gave various amounts to A1 on various dates to be deposited in his account. Subsequently, he came to know that A1 and petitioner colluded together and misappropriated the amounts given by the defacto complainant. On complaint, case has been registered for the above said offences.



3.The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is Branch Manager, who is arrayed as A2. He introduced the defacto complainant and other customers to A1. A1 collected amounts from various depositors and misappropriated the amount. On coming to know of the same, it was informed to the Higher Officials for giving complaint against A1.

4.The learned counsel for the intervenor submitted that the petitioner and A1 colluded together misappropriated the huge amounts given by the defacto complainant to deposit and cheated various customers including the defacto complainant. After giving complaint, the defacto complainant came to know that the petitioner and A1 colluded together withdrew the amount on three occasions for a sum of Rs.10,00,000/- by using the cheque numbers alone. The original cheque leaves are with the defacto complainant. When the petition filed for anticipatory bail was heard by the Sessions Court, the petitioner agreed to settle a sum of Rs.10,00,000/- in his account. Totally both the accused misappropriated a sum of Rs.30,60,000/-. The petitioner and other accused did not deposit the amount in his account.

5.The learned Government Advocate(Crl.side) submitted that on complaint of the defacto complainant, case has been registered against the petitioner and A1 and investigation is in preliminary stage. The petitioner along with other accused colluded together and misappropriated the huge amount from various persons. If anticipatory bail is granted to the petitioner, he will tamper the witnesses and hamper the investigation.

6.Considering the serious nature of allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
11/07/2016

/ TRUE COPY /

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

TO

- 1.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
 - 2.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.D.S.HAROON RASHEED, Advocate, SR.No.35876
RL/4C/2P/ARK/PV/SARI/20/7/2016

ORDER
IN
CRL OP(MD) No.6727 of 2016
Date :11/07/2016