

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.4886 of 2017

S.S.SELVAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

SPECIAL SUB INSPECTOR OF POLICE,
HARUR POLICE STATION,
DHARMAPURI DISTRICT
CR.NO.723 OF 2016.

For Petitioner : M/S.K.K.N.GANESHAN Advocate

For Respondent : MR. R. SEKAR, Govt. Advocate (Crl. Side)

For Intervenor : MR. T. BALAJI, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 409 and 420 IPC in Crime No.723 of 2016, has filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioner is the Branch Manager of Muthoot Finance Corporation, Harur Branch in Dharmapuri, who is incharge of Jewel Loan. As per the complaint, the jewels pledged with Muthoot Finance was found missing and the value of jewels is around Rs.1,20,912/-(Rupees One Lakh Twenty Thousand Nine Hundred and Twelve only). This was found during the periodical audit and gold inspection, which took place between 27.09.2016 to 01.10.2016.

3. The learned counsel for the petitioner submitted that the petitioner left the establishment in June 2016 itself. He further submits that when the petitioner left the office, no such allegation was made and he cannot be held responsible for any such occurrence subsequent to his leaving the job.

4. The learned Government Advocate (Crl. Side) contends that the petitioner is incharge of Jewel Loans and custodian of the jewels pledged and he has mis-appropriated the jewels and left the job. The investigations is still pending in this regard.

5. Considering the facts and circumstances of the case, and further taking note of the fact that the second accused has been released on bail, this Court is inclined to grant the relief of anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance before the learned Magistrate concerned within a period of three weeks from the date of receipt of a copy of this order, subject to the following conditions:

(i) the petitioner shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) to the credit of Crime No.723 of 2016 on the file of the respondent police within a period of two weeks, from the date of receipt of a copy of this order;

(ii) the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Harur or to the satisfaction of the respondent police or the police officer who intends to arrest and

(iii) the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

-sd/-

15/03/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
HARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 SPECIAL SUB INSPECTOR OF POLICE, HARUR
POLICE STATION, DHARMAPURI DISTRICT

+1CC to M/S.K.K.N.GANESHAN Advocate on payment of necessary charges SR.NO. 4958

CRL OP.4886/2017

Date :15/03/2017

EGR 22/03/2017