



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

Wednesday, the Eleventh day of January Two Thousand Seventeen

PRESENT

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

CRL OP (MD) No.314 of 2017

VASANTHASELVAN,

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

CENTRAL CRIME BRANCH, MADURAI CITY.

(IN CR.NO.13/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.SENTHIL KUMARAHIAH, ADVOCATE FOR
M/S.DHANA LAW ASSOCIATES Advocate

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

For Intervener : MR.J.SELVIN RAJESH, Advocate

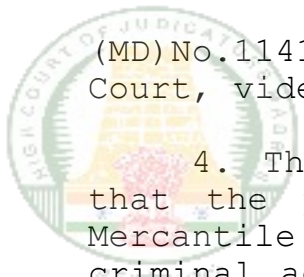
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 408 and 120(b) 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 petitioner in collusion with others committed various malpractices by replacing original gold jewels with fake jewels and manipulated the accounts and committed misappropriation of funds to the tune of Rupees One Crore Thirty Four Lakhs. On complaint, a case has been registered against the petitioner and others.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner sanctioned loan only after a certificate issued by the appraiser, if there is any malpractices, action must be taken against the appraiser, but not against the petitioner. He further submitted that the appraiser already retired from service and prayed for granting anticipatory bail in favour of the petitioner. He also submitted that the petitioner and others have already filed Crl.O.P.



(MD)No.11416 of 2016 before this Court, which was dismissed by this Court, vide order dated 19.07.2016.

4. The learned Government Advocate (Criminal side) submitted that the petitioner is holding responsible post in the Muthoot Mercantile Bank and he colluded together with others and by their criminal activities, caused loss to the Muthoot Mercantile Bank to the tune of Rupees One Crore Thirty Four Lakhs. He further submitted that already this Court dismissed the earlier petition for anticipatory bail filed by the petitioner and others, vide order dated 19.07.2016 and now, there is no change of circumstances. If anticipatory bail is granted to the petitioner, he will tamper the evidence and hamper the investigation and therefore, he prayed for dismissal of the criminal original petition.

5. Taking into consideration the nature of allegations against this petitioner and the fact that the petitioner and others replaced the gold jewels with fake jewels and manipulated the account and misappropriated huge amount and already this Court dismissed the earlier petition for anticipatory bail filed by the petitioner and others, vide order dated 19.07.2016 and now, there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/01/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, MADURAI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/KM/SAR-2-19.1.17-2P-3C

ORDER
IN
CRL OP(MD) No.314 of 2017
Date :12/01/2017