



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

Thursday, the Fifth day of January Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.52 of 2017

1 RAYAN

2 ANANDARAJ

... PETITIONERS / ACCUSED Nos.2 & 3

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.
(CR.NO.58/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.ANANDAKUMAR Advocate

For Respondent : Mr.P.KANDASAMY Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

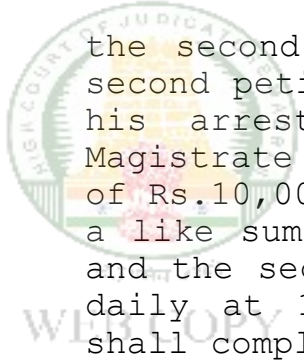
The petitioners, who are arrayed as accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of I.P.C., in Crime No.58 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is a Distributor of I.T.C. Diamond Enterprises agency and the petitioners herein and the first accused are working under the agency. The first petitioner is being a salesman, in addition to his work, has made bill entry in the computer and with the help of the first petitioner herein, the first accused had stolen a sum of Rs.31,70,348/- and the second petitioner stolen Rs.4,15,418/-.

3. The learned counsel for the petitioners further states that as per the F.I.R., 22 people working in the agency have done mistakes and no overt act of misappropriation against the second petitioner herein.

4. The learned Government Advocate (Crl.side) states that A1 moved anticipatory bail before this Court in Crl.O.P.(MD).No.20886 of 2016 and interim anticipatory bail was granted and it is pending.

5. Considering the above facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the accused No.2 and hence, this petition is dismissed in respect of the first petitioner and this Court is inclined to grant anticipatory bail to



the second petitioner/A3 with certain conditions. Accordingly, the second petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.I, Thoothukudi 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 the second petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The second petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The second petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

05/01/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I
THOOTHUKUDI

2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.1004

JAM/06.01.2017/EM-MPA/SAR 3/ 2P-6C

ORDER

IN

CRL OP(MD) No.52 of 2017

Date :05/01/2017