



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

Thursday, the Sixteenth day of March Two Thousand Seventeen
PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.19472 of 2016

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REV.DR.NORMAN BHASKAR
TRICHY CITY A.G.CHURCH,
NO.1 NEW SELVA NAGAR,
PONNANAGAR P.O. TRICHY.

... PETITIONER / ACCUSED 1

Vs

THE INSPECTOR OF POLICE,
SESSIONS COURT POLICE STATION,
TRICHY CITY
(CRIME NO.223 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.VEERA KATHIRAVAN Senior Counsel for
VEERA ASSOCIATES Advocate

For Respondent : M/S.K.ANBARASAN Govt. Advocate (Crl. Side)

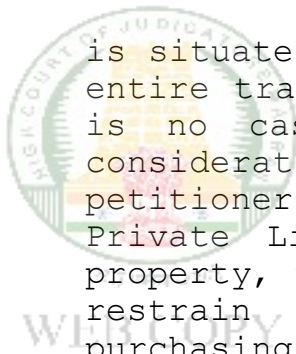
PETITION FOR ANTICIPATORY BAIL Under Sec.438 Crl.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 apprehends arrest at the hands of the respondent police for the alleged offences punishable under section 420, 465, 468 and 471 of IPC, in Crime No.223 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The de-facto complainant has lodged a complaint before the 1st respondent police stating that he is working as Secretary of Tamil District Council of South Indian Assemblies of God, Madurai and after he was assuming the charge, the petitioner, who is also elected as a Treasurer of the above said Church, requested the de-facto complainant to issue two blank letter pad leaves duly signed by him for the purpose of opening a Bank account in the name of the said Church at Trichy, since he is residing at Trichy and believing his words, the de-facto complainant has given two blank signed letter pad leaves, but the same was misused by the petitioner by executing an agreement of sale with one VGP Housing Private Limited and also collected a sum of Rs.688 Lakhs, in connection with the sale of Church Property, without getting any permission from the Executive Committee of the Church. Hence, this complaint.

3.The learned Senior counsel for the petitioner would submit that the petitioner was a Treasurer of the Assembly of God Church (The Tamil District) and he has been authorised by a resolution of the Church to sell the present land and building, where the Church



is situate and also to purchase a new land of vast area and that the entire transactions were made through cheque payment only and there is no cash transaction and all the amounts received as sale consideration is under the custody of the Church only and that the petitioner entered into a sale agreement with the VGP Housing Private Limited and due to some problem in purchasing the new property, the Church Committee filed a suit in O.S.No.371 of 2015 to restrain the petitioner from alienating the property without purchasing an alternative site and hence, the petitioner could not execute the sale deed and subsequently, the Tamil District Counsel of the South India Assemblies of God also filed a suit through its Secretary in O.S.No.642 of 2016 on the file of the District Munsif, Trichy, wherein the Management of the Diocesan have accepted the sale proceeds being credited in the account of the Church and both the suits were pending and that the above said company seeks for refund of the amount, which has been accounted in the account of the Church and that the Office-bearers of the Church of Assemblies of God have to take a decision and that since, no decision was taken, the de-facto complainant has filed this complaint.

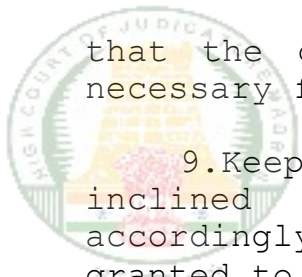
4.It is further submitted that the entire allegations made in the complaint are totally false and the petitioner has not committed any offences as alleged by the prosecution and hence prays for anticipatory bail.

5.The learned Government Advocate (Criminal side) appearing for the 1st respondent would submit that by misusing the letter pad of the Church, the petitioner has entered into a sale agreement with VGP Housing Private Limited, on the basis of authorisation given to him by the Committee members and the property was agreed to be sold for Rs.7 Crores and that major portion of the amount was given to the petitioner on various dates by the said company and that since, there is some dispute in purchasing alternative site for the Church, the Church Committee has filed a civil suit restraining the petitioner from selling the property and the petitioner has given an undertaking letter to refund of the amount, but no amount was paid so far. Therefore, the custodial interrogation of the petitioner is very much required to recover the huge amount and hence, he prayed for the dismissal of the petition.

6.It is seen from the records that this court has granted interim anticipatory bail to the petitioner on 07.10.2016.

7.It is further seen from the records that the petitioner alone is authorised by the Committee members and he entered into sale agreement and received the amount from the VGP Housing Private Limited by misusing the letter pad of the Church. Thereafter, the petitioner has entered into agreement on behalf of the Church Committee as the treasurer and therefore, the Church Committee filed a civil suit restraining the petitioner from executing sale deed without purchasing alternative site for the Church.

8.Further, it is seen from the records that the petitioner has given an undertaking to refund the money, but so far no amount was paid by the petitioner. Hence, this court is of the considered view



that the custodial interrogation of the petitioner is very much necessary for investigation.

9. Keeping in view of the above facts, this court is not inclined to grant anticipatory bail to the petitioner and accordingly, cancelling the interim anticipatory bail already granted to the petitioner, this petition is **dismissed**.

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sd/-
16/03/2017

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

TO

- 1 THE INSPECTOR OF POLICE,
SESSIONS COURT POLICE STATION,
TRICHY CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1.CC to M/S.VEERA ASSOCIATES Advocate SR.No.15268

ORDER IN
CRL OP (MD) No.19472 of 2016
Date :16/03/2017

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