



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

Thursday, the Eighteenth day of January Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP(MD) No.554 of 2018

H.EHSNAULLAH

... PETITIONER/ PETITIONER/  
ACCUSED NO.2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
ARAVAKURUCHI POLICE STATION,  
KARUR DISTRICT.  
(CRIME NO.527 OF 2017)

... RESPONDENT / COMPLAINANT/  
COMPLAINANT

For Petitioner : M/S.R.MATHIYALAGAN, Advocate

For Respondent : M/S.A.ROBINSON, Govt. Advocate ( Crl. Side)

For Intervenor : M/S.K.R.LAXMAN, 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 offence punishable under Sections 294(b), 420 and 506(i) of IPC in Crime No.527 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and one Nisar Ahammed @ Ashif has misappropriated Rs.6 lakhs in the shop running by the defacto complainant. Hence the complaint was lodged by the defacto complainant before the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is no way connected with this case and he is only working as data entry operator.

4. The learned Government Advocat(Crl.side) submitted that investigation is still pending and the amount was not yet recovered.

5.The submissions made on either side are considered. It is alleged that during the time of occurrence the petitioner herein was working as an agent for the defacto complainant. The petitioner collected the amount to the tune of Rs.6 lakhs and had not repaid the same to the defacto complainant. As of now the amount, which was misappropriated by the petitioner, is not recovered. Considering the fact that the offence under Section 406 has been



registered against the petitioner, recovery of misappropriated amount is necessary for completing the investigation. Accordingly, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, this criminal original petition is dismissed.

sd/-

18/01/2018

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/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,  
ARAVAKURUCHI POLICE STATION,  
KARUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER

IN

CRL OP(MD) No.554 of 2018

Date : 18/01/2018

**MS/PM-PN/SAR.1/25.01.2018/2P.3C**