



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

Tuesday, the Twenty Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.879 of 2018

RANJAN

... PETITIONER / ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CCIW CID POLICE STATION,
TRICHY.
(CRIME NO.10/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.SENTHIL KUMAR Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARTHI, Govt.Advocate(Crl.Side)

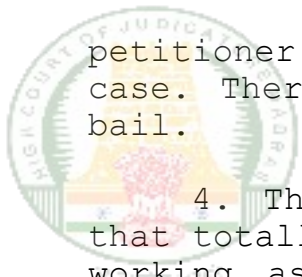
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 28.12.2017 for the offences punishable under Sections 406, 408, 477(A) and 120(b), in Crime No.10 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the first Accused in this case is the Secretary of Ettari Primary Agricultural Co-operative Credit Society, Trichy District and the petitioner herein/A2 is the salesman in the Society and the other accused are the members of the Society. The Deputy Registrar, after received the complaint of malpractice in the jewel loan accounts, directed the Sub Registrar to conduct an enquiry under Section 81 and the Sub Registrar has enquired the same and submitted his report on 23.02.2017. In his report, he recommended for criminal action against the Accused Nos.1 and 2. On the basis of the report, the Deputy Registrar has also given a complaint against all the members of the Board stated that they have not made checking on the records properly. Hence, the case has been registered against the petitioner and other accused persons.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that in the double key system, one key was in the custody of the petitioner and the another one was in the custody of the Secretary/A1. Since the



petitioner kept one key, he has been falsely implicated in this case. Therefore, the learned counsel for the petitioner prays for bail.

4. The learned Government Advocate (Criminal Side) submitted that totally there are 13 accused in this case. The petitioner/A2 is working as salesman. He further submitted that on basis of the enquiry report, first information report has been registered against the accused persons and the petitioner was arrested and remanded to judicial custody from 28.12.2017 to till date. Totally a sum of Rs.52,00,000/- (Rupees fifty two lakhs only) has been misappropriated from the Society and the investigation is pending.

5. The submissions made by the learned counsel on either side are considered. It appears that the offence under Sections 406, 408, 477(A) and 120(B) I.P.C., has been registered against the petitioner. Admittedly, the petitioner herein is the Clerk of the Ettari Primary Agricultural Credit Co-operative Society. Before lodging the complaint, in the Society, in which the alleged offence was happened, enquiry under Section 81 was conducted and in the report submitted by the enquiry officer, the Deputy Registrar recommended for taking action against the petitioner and other accused. It is alleged that during the time of occurrence, the property worth about Rs.52,00,000/- (Rupees fifty two lakhs only) was misappropriated from the Society. So far, the property was not recovered. Hence, considering the above said facts and other circumstances of the case, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/01/2018

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
CCIW CID POLICE STATION, TRICHY.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

ORDER
IN
CRL OP(MD) No.879 of 2018
Date :23/01/2018

MS/CM-VR/SAR.1/01.02.2018/2P.4C