



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

Tuesday, the Twenty Fourth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.6092 of 2018

GOPALAKRISHNAN,

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TRICHY DISTRICT.
(CR.NO.2 OF 2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G.BHAGAVATH SINGH Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

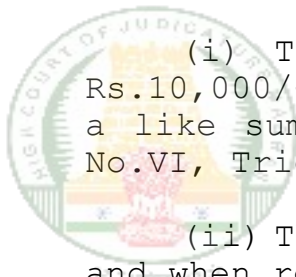
The petitioner is arrayed as Accused No.1. He was arrested on 24.01.2018 by the respondent police and remanded to judicial custody. The case against him is for the offences punishable under Sections 406, 408, 409, 417, 420 and 34 IPC, in Crime No.2 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner/A1 was the Vice President of the Chavas Apparels and A2 to A4 were the Marketing Managers and A5 was the Designer of the said Company and they colluded together and misappropriated a sum Rs.1,22,21,331/-.

3.The learned counsel appearing for the petitioner submitted that the petitioner was working under direct control of Management and he has not committed any offence as alleged by the complainant.

4.The learned Government Advocate (Criminal side) submitted that the investigation is almost completed and the final report is yet to be filed.

5.Even though the statutory period has expired, the final report is yet to be filed. Hence, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:



(i) The petitioner shall execute 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 Judicial Magistrate No.VI, Trichy.

(ii) The petitioner shall appear before the respondent police as and when required for interrogation.

(iii) The petitioner shall not abscond.

(iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

24/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S.G.BHAGAVATH SINGH Advocate SR.No.6925

SMN2

SDS/CM/VR/VK/24.4.18-2P-7C

ORDER

IN

CRL OP(MD) No.6092 of 2018

Date :24/04/2018