



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

Thursday, the First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.16320 of 2017

M.RAJALINGAM

... PETITIONER/ ACCUSED
RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
THIRUVERUMBUR POLICE STATION, THIRUVERUMBUR,
TRICHY DISTRICT,

(*) (IN CRIME NO. 5/2018)

**(AMENDED AS PER ORDER OF THIS HON'BLE
COURT MADE IN CRL MP(MD)NO.324/2018
IN CRL OP(MD)NO.16320/2017
DATED 23.01.2018 BY RPAJ)**

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.SUNDAR Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused Rank not known, who apprehends at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(ii) of IPC., in Crime No.5 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner being the jewel appraiser, misappropriated the funds of the defacto complainant Bank, namely, City Union Bank, Kattur Branch, Trichy, to the tune of Rs.4,60,000/- by pledging duplicate gold ornaments with the said bank and while questioning the same, the petitioner threatened the defacto complainant with dire consequences. Hence, this case has been registered for the above said crime.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Therefore, he pleads anticipatory bail for the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent on instructions, would submit that the misappropriated amount is not yet recovered. According to the prosecution, the investigation is in progress.

5. The submissions made by the learned counsels appearing for either side are considered. It is alleged during the time of occurrence, the petitioner herein being the appraiser of the City Union Bank, accompanied with the second and third accused pledged the duplicate jewels in the said bank and availed a loan for a sum of Rs. 4,60,000/-. As of now, the said amount was not recovered. The specific overtact against this petitioner is that the said loan amount was disbursed, based on the certificate issued by this petitioner. Considering the nature of offence committed by the petitioner, custodial interrogation of the petitioner is necessary for completing the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
01/02/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.SUNDAR Advocate SR.No.1794

PJL
GJM/PM/PN/SAR-3-16.2.18-2P-4C

ORDER
IN
CRL OP(MD) No.16320 of 2017
Date :01/02/2018