



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

Friday, the Twenty Ninth day of June Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.10395 of 2018

1 A.PRABAKARAN

2 S.UMA

... PETITIONERS/ACCUSED 1& 2

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TRICHY

CRIME NO.NOT KNOWN /2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.N.MOHAN Advocate

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

For Intervener : MR.C.JEGANATHAN, Advocate for
M/S.VEERA ASSOCIATES

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 408, 465, 468, 471, 477(A) and 34 of I.P.C., in Crime No. Not Known of 2018, on the file of the respondent police and seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

3.The case of the prosecution is that the petitioners were employed in the de-facto complainant's institution and that they had committed misappropriation to the tune of Rs.58,22,450/-.

4.This Court went through the contents of the FIR. But, it does not inspire the confidence of this Court. However, this observation is made only for the purpose of granting relief in



this Criminal Original Petition and it shall not have any bearing on further investigation.

5. It is seen that the first petitioner had left the de-facto complainant's school right from 15.04.2017 onwards. The second petitioner was also not working in the school from November 2017 onwards. The complaint came to be lodged only on 28.06.2018. The case against the petitioner rests entirely on documentary evidence. Therefore, this Court is of the view that no prejudice will be caused to the investigation by granting anticipatory bail.

6. This Court also heard the learned Counsel for the de-facto complainant. He voiced his strong objection for granting anticipatory bail. He also filed typed set of papers enclosing materials, which according to him *prima facie* indicate the act of misappropriation by the second petitioner.

7. Taking note of all the above facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Turaiyur and executing a bond each 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police for a period of two weeks at 10.30 a.m. and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
29/06/2018

/ TRUE COPY /

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



1 THE JUDICIAL MAGISTRATE, TURAIYUR, TRICHY DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
TRICHY

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.MOHAN Advocate SR.No.11665
+1cc to M/S.VEERA ASSOCIATES in SR.No.11686

GJM/JC/ASVM/4.7.18-3P-7C

ORDER
IN
CRL OP(MD) No.10395 of 2018
Date :29/06/2018