



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

Monday, the Second day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.10880 of 2018

MANIMOZHIYAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
(CR NO.8/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.MUTHUSARAVANAN Advocate

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

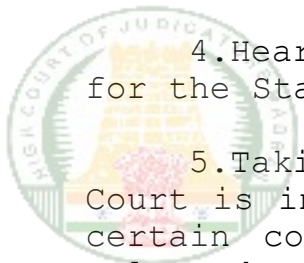
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2 , apprehending arrest at the hands of the respondent police for the offences punishable under Sections 409 and 420 IPC in Crime No.08 of 2016, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant had been entrusting money with one Bharanikanth for remittance into the defacto complainant's bank account. But, the amount to the tune of more than Rs.17 lakhs, was not actually remitted into his bank account. Hence, the present FIR came to be registered. The allegation of the defacto complainant is that the said Bharanikanth was introduced to him only by the petitioner, who was the local Branch Manager during the relevant time. The petitioner herein had moved this Court for grant of anticipatory bail and the same was dismissed. Thereafter, the petitioner had moved the session Court and taken anticipatory bail. When once anticipatory bail is denied by this Court, it is not open to the accused to move to the Sessions Court thereafter. The petitioner has placed all these facts before this Court. The learned counsel for the petitioner also pointed out that even though the petitioner strongly maintains his innocence to show his bona fide, he, out of his own pocket, had remitted Rs.7 lakhs to the credit of the defacto complainant.

3.The money was admittedly not given to the petitioner herein and only to Bharanikanth. That apart, the case is of the year 2013.



4. Heard the learned Government Advocate (Crl.side) appearing for the State.

5. Taking note of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Ramanathapuram, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
02/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.C.MUTHUSARAVANAN Advocate SR.No.11857.

ORDER
IN
CRL OP(MD) No.10880 of 2018
Date :02/07/2018