



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

Tuesday, the Seventeenth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.10801 and 11467 of 2018

SUMITHA

... PETITIONER /3rd ACCUSED
IN CRL OP(MD) No.10801 of 2018

S.DINESH

... PETITIONER / ACCUSED No.2
IN CRL OP(MD) No.11467 of 2018

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION,
MADURAI CITY
Crime No.413 of 2018

... RESPONDENT/ COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : Mr.N.SATHISH BABU Advocate
IN CRL OP(MD) No.10801 of 2018

For Petitioner : Mr.C.M.ARUMUGAM Advocate
IN CRL OP(MD) No.11467 of 2018

For Respondent : Mr.A.ROBINSON Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

Heard the learned counsel for the petitioners/accused and also the learned counsel for the intervenor.

2.In this case the jewels, that were pledged with Agro Indus Credit Limited, Madurai, were replaced by spurious items and embezzlement to the tune of Rs.55,24,250/- (Rupees Fifty Five Lakhs Twenty Four Thousand Two Hundred and Fifty only) took place involving the Manager/first accused and other two accused/petitioners herein who are staff, working in the said institution. The first accused is having one key, while the other key was operated on a turn basis by the petitioners herein. Since the petitioners herein and the principal accused had joint custody of the jewels concerned, this Court is of the view that without the culpable act or omission on the part of the petitioners herein, embezzlement would not have taken place.



3.The role played by the petitioners herein is a matter for investigation. Hence, this Court is of the view that the petitioners are not entitled to grant of anticipatory bail. The Criminal original Petition is dismissed.

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sd/-
17/07/2018

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION,MADURAI CITY.

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

+1. CC to Mr.C.M.ARUMUGAM Advocate SR.No.13328
+1. CC to Mr.P.VENKATASUBRAMANIAN Advocate SR.No.13292

ORDER
IN
CRL OP(MD) No.10801 and
11467 of 2018
Date :17/07/2018

TK/JC/SAR.4/09.08.2018/2P-5C