



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

Thursday, the Sixteenth day of August Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.13871 of 2018

HELAN RAJA

... PETITIONER / ACCUSED

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
KALAKKAD POLICE STATION,
TIRUENLVELI DISTRICT.
CRIME NO.471 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.R.LAXMAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner/A1 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 467, 468 and 420 of I.P.C., in Crime No.471 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant has deposited a sum of Rs.20 lakhs in the second accused finance company. At the time of deposit, the petitioner/A1 was the Manager of the second accused finance company at Kalakkad branch. After receipt of the amount, the first accused issued receipts for the deposited amount. Thereafter only, the defacto complainant came to know that those receipts are fabricated one and not issued from the branch and the first accused with the connivance of the second accused misappropriated a sum of Rs.20 lakhs and hence, a complaint has been registered.

3.Heard the learned counsel appearing for the petitioner, who would submit that after filing of the complaint, to save his employment, the petitioner/A1 paid a sum of Rs.4,50,000/- to the defacto complainant. He would further submit that he has no role to play for the finance company, since he was the Assistant Manager of Kalakkad branch and the Cashier of the branch only received cash and issued the receipt and the petitioner/A1 has nothing to do with the



issuance of FD receipts to the defacto complainant.

4.It is seen from the above facts that the petitioner is arraigned A1 and the Chairman of the finance company is arraigned as A2. After the complaint, the first accused/petitioner repaid a sum of Rs.4,50,000/- to the defacto complainant and he assured that he is ready to pay the remaining amount.

5.It is now submitted by the learned counsel for the petitioner that there are two accused and insofar as the petitioner is concerned, his share comes to Rs.10 lakhs, in which he already paid a sum of Rs.4,50,000/- and now is ready to deposit the remaining amount of Rs.5,50,000/-.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/A1 with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.5,50,000/- (Rupees five lakhs and fifty thousand only) to the credit of crime No.471 of 2017 on the file of the respondent police before the learned Judicial Magistrate, Nanguneri and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Nanguneri and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioner 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/-

16/08/2018

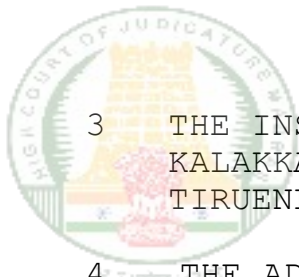
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE,
NANGUNERI.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELLI.



3

3 THE INSPECTOR OF POLICE
KALAKKAD POLICE STATION,
TIRUENLVELI DISTRICT.

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

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+1. CC to M/S.K.R.LAXMAN Advocate SR.No.15682
PS/JC/SAR-1:21/08/2018:3P/6C

ORDER
IN
CRL OP(MD) No.13871 of 2018
Date :16/08/2018