

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.3549 of 2019

S.SHOBANA

[PETITIONER / ACCUSED]

Vs

STATE THROUGH
INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ARIYALUR DISTRICT.
CR.NO.10 OF 2018.

[RESPONDENT]

For Petitioner : M/S.P.MUTHAMIZH SELVAKUMAR Advocate

For Respondent : MR.M.MOHAMED RIYAZ,ADDL.PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 403, 409, 465, 468, 477A of IPC in Crime No.10 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has misused the electricity power connection and had created fake receipts in private persons name from the year 2013 onwards and thereby swindled an amount of Rs.93,20,874/-, which were to be paid to the Electricity Board. On auditing, it was found that the petitioner has swindled the money and thereby departmental action has been taken and a memo was issued by the authorities concerned and asked the petitioner to repay the amount within seven days. Since, the petitioner did not repay the amount within the stipulated period, a complaint has been preferred against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that earlier, the petitioner has given complaint regarding sexual harassment against two higher officials of her Department, taking vengeance of the same, this false case has been foisted against her. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner has misused the electricity connections and has created fake receipts in several private person's name and thereby swindled money to the tune of Rs.93,20,874/- of the Electricity Board. Hence, she vehemently opposed for grant of anticipatory bail to the petitioner.

5. On perusal of the records, it is seen that earlier, the petitioner's anticipatory bail application was dismissed by this Court on 10.01.2019 on merits and considering the fact that there is no change of circumstances. Subsequent to the order of dismissal passed by this Court and taking into account the antecedents of the petitioner herein, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
22/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ARIYALUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.MUTHAMIZH SELVAKUMAR Advocate on payment of
necessary charges

CRL OP.3549/2019

Date :22/02/2019

RD 27/02/2019