



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

Date : 07/08/2019

PRESENT

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

**CRL OP(MD) . No.9153 of 2019**

Sivan Arulkumaran

... Petitioner/Accused

Rank not known

Vs

State rep.by,  
The Inspector of Police,  
District Crime Branch,  
Ramanathapuram District  
(Cr.No.18 of 2019).

... Respondent/Complainant

For Petitioner : M/s.M.Karunanithi, Advocate.

For Respondent : Mr.V.Neelakandan,  
Additional Public Prosecutor

For Intervenor : MR.V.RAGAVACHARI, Advocate

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

PRAYER :-

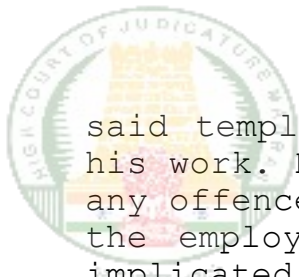
For Anticipatory bail in Cr.No. of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner/accused no.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 406, 408, 465, 468, 471, 477(A) r/w.120(b) of IPC seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner would submit that the petitioner joined on daily wage basis as computer operator from 04.01.2016 to 21.06.2016 in Arulmighu Ramanathaswamy Thirukovil at Rameswaram. He further submitted that A2 was the permanent employee of the said temple and his work is to main accounts relating to salaries provident fund etc., of the employees of the



said temple and the said petitioner was directed to assist A2 in his work. He further submitted that the petitioner has not committed any offence and it is only A2 who has committed misappropriation of the employees provident fund but the petitioner has been falsely implicated in the above case. He further submitted that to show his bonafide the petitioner is willing to deposit a sum of Rs.11,00,000/- to the credit of the crime number. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor/defacto complainant would submit that though the petitioner was joined on daily wage basis, he was allowed to operate computer and also to assist A2. He further submitted that since the petitioner knows to operate computer, OTP number was given to the petitioner to transfer the amount from the account of the temple to the EPF account of the employees and taking advantage of the said position he has transferred Rs.73,04,680/- from the account of the temple to his father's account and further by forging the signature of the former Executive Officer of the temple he has presented bogus cheques to the bank and collected Rs.9,00,000/-. Therefore he opposed to grant anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor adopted the arguments advanced by the learned counsel for the intervenor/defacto complainant and he was opposed to grant anticipatory bail to the petitioner. He also produced the bank statements to show that on different dates the petitioner has transferred the amount from the account of the temple to his father's account.

6. The bank statement would show that from 30.01.2016 to 04.06.2019 totally a sum of Rs.74,00,000/- has been transferred from the account of the temple to the petitioner's father's account and for that there is no explanation from the petitioner.

7. Taking into consideration the allegations made against the petitioner and huge amount has been transferred to the petitioner's father's account, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Hence this petition is dismissed.

sd/-  
07/08/2019

/ TRUE COPY /

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



TO

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

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

+1. CC to M/S.MR.V.RAGAVACHARI, Advocate SR.No.13021

ORDER

IN

CRL OP(MD) No.9153 of 2019

Date :07/08/2019

AAV

PK/PN/SAR-4/21.08.2019 : 3P/4C