

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.OP.No.10972 of 2020

A.Mayakrishnan

... Petitioner

Vs.

State by

The Sub Inspector of Police,
Sholavaram Police Station,
Thiruvallur District.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of arrest in
Crime No.2351 of 2020 on the file of the respondent police.

For Petitioner : Mr.A.Muthukumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

(This case has been heard through video conference)

The petitioner who apprehend arrest at the hands of the
respondent police for the offences publishable under Section 406 IPC
in Crime No.2351 of 2020, on the file of the respondent police, seeks
anticipatory bail.

2. The case of the prosecution is that the defacto complainant
is running a Dhal Mill and the petitioner along with the other
accused while working as Supervisors of the Company, cheated the
defacto complainant to the tune of Rs.1,86,70,670/- by
misappropriating 2350 bags of Orid Dhal from the godown. Hence, the
complaint.

3. The learned Counsel for the petitioner submitted that the
petitioner is an innocent and he has been falsely implicated in this
case. He would further submit that A2 in this case is the main
accused and he is the person who was in charge of the Accounts and
misappropriated the entire amount and that the petitioner is no way
connected with the alleged offence. Hence, he prays for grant of
anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner employed as a Supervisor in the Company of the defacto complainant and cheated the amount the tune of Rs.1,86,70,670/- by misappropriating 2350 bags of Orid Dhal from the godown. He also submitted that A2 was arrested and he is under custody. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Learned Counsel, Mr.Naresh Kumar, the intervener vehemently opposed stating that the petitioner was working in the defacto complainant's company for the past eight years. The entire business was handed over to the petitioner and he was supervising the entire business. Taking advantage of the same, the petitioner has cheated and misappropriated 2350 bags of Orid Dhal to the tune of Rs.1,86,70,670/- and submitted that custodial interrogation of the petitioner is very much necessary. He further submitted that A2 was only working for four months and the petitioner is the main accused who has committed the misappropriation.

6. Taking into consideration the facts and circumstances of the case and the submissions of the learned counsel and the amount involved is very huge, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, the Criminal Original Petition is dismissed.

-sd/-
23/07/2020

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 SUB INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. A.MUTHUKUMAR Advocate on payment of necessary charges

CRL OP.10972/2020

Date :23/07/2020