

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.14547 of 2020

A. Ismail

... Petitioner

Vs.

State Rep. by

The Inspector of Police,
South Police Station, Erode,
Erode District.

Crime No.82 of 2020

...Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.82 of 2020 on the file of the respondent.

For Petitioner : Mr. S. Shunmuga Raja

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

ORDER

(The case has been heard through Video Conferencing)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406 and 420 of I.P.C, in Crime No. 82 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per de facto complainant is that he is the Branch manager of Tamilnadu Industrial Co-Operative Bank Ltd., (TAICO Bank), Erode Branch and the petitioner was working as jewel appraiser from the year 2005 to 2008 and from 2010 to 2019 on contract basis. On the proceedings issued by the Managing Director, audit was conducted by special team between 07.02.2020 and 10.02.2020 and it was found that 464 bags out of 2338 jewel bags contained spurious jewellery. The jewels pertain to 82 customers and during enquiry it was found that one M.Selvaraj and Ismail had entered into criminal conspiracy with 82 customers and by furnishing fabricated documents and details, mortgaged spurious jewels and taken loans from the bank and cheated the bank to the tune of Rs.6,19,29,200/-. Hence, the complaint was registered.

3. The learned Counsel for the petitioner would submit that this is the second application for anticipatory bail and he would submit that the petitioner's daughter is a differently abled child and thereby, the petitioner seeking anticipatory bail.

4. The learned Additional Public Prosecutor would submit that this Court considering all the submissions made by the learned counsel for the petitioner very recently on 25.08.2020 had dismissed the earlier anticipatory bail application in Crl.O.P.No.12415 of 2020. However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is not inclined to grant anticipatory bail to the petitioner.

6. With the above observation, this Criminal Original Petition is dismissed.

-sd/-

18/09/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
ERODE, ERODE DISTRICT,

CC to M/S. CHENNAI LAW FIRM Advocate on payment of necessary charges Sr.6526

WEB COPY

CRL OP.14547/2020

Date :18/09/2020

RVR 30/09/2020