

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No. 16040 of 2020

R.Krishnaraj

... Petitioner/2nd Accused

Vs.

The State represented by,
The Inspector of Police,
CCIW, Cuddalore,
Cuddalore District.

.... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No. 5 of 2019, on the file of the respondent police.

For Petitioner : Mr.M.Kaviveerappan

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

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120-B, 406, 408, 467, 468, 471 and 477-A of IPC, in Crime No. 5 of 2019, on the file of the respondent, seeks anticipatory bail.

2 The case of the prosecution as per the defacto complainant viz., Venkatachalapathy, who is the Deputy Registrar of Co-operative Society is that the petitioner along with other accused was working as Cashier and Special Officer in Cuddalore Agricultural Producers Co-operative Marketing Society by fabrication of documents and falsification of accounts, had disbursed an amount of Rs.1,26,99,000/- to 36 fictitious accounts and had misappropriated the same and further misappropriated an amount of Rs.42,07,000/- by illegally selling the paddy stock and thereby cheated the Society. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that an enquiry was

conducted and that the other accused had repaid entire amount to the Society and that there is no loss to the Society. Hence, he prays to grant anticipatory bail to the petitioner.

4 Per contra, the learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with other accused had by fabrication of documents and falsification of accounts disbursed an amount of Rs.1,26,99,000/- to 36 fictitious accounts and misappropriated the same and further they had also misappropriated an amount of Rs.42,07,000/- by way of illegally selling the paddy stock. He would further submit that the petitioners have acted in a very calculated manner and fabricated the documents. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5 Taking into consideration of the facts and circumstances of the case, submissions made by the learned counsels and also considering the gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

29/10/2020

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 JUDICIAL MAGISTRATE,
NO.I, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE,
CUDDALORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CCIW, CUDDALORE,
CUDDALORE DISTRICT.

+1 CC to M/S.M.KAVIVEERAPPAN Advocate on payment of necessary charges SR.No.7190

CRL OP.16040/2020

Date :29/10/2020