



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2020

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.25 of 2020

M. Selvakumar

... Petitioner/1st Accused

Vs

State Rep. by
The Sub Inspector of Police,
Malli Police Station,
Virudhunagar District.
Cr.No.135 of 2019.

... Respondent/Complainant

For Petitioner : M/s.Lakshmi Gopinathan,
for M/s. Polax Legal Solutions.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.135 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(B), 403, 406 and 420 of I.P.C., in Crime No.135 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner was employed in the establishment run by the defacto complainant. The case of the defacto complainant is that the petitioner who was employed for about six years had caused loss to them by sourcing and transacting the materials contrary to the terms of the invoice. According to him, this has been going on for several years and that a sum of Rs.8 Lakhs was the loss caused to them.

4. As rightly pointed out by the petitioner's counsel, if it

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is a solitary transaction, one can understand. But then, the complainant would claim that this has been going on for six years and that therefore the complaint cannot be believed.

5. In any event, the case against the petitioner rests on documentary evidence. Therefore, the petitioner's custodial interrogation is not required.

6. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Srivilliputhur, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
06/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE No.II, SRIVILLIPUTHUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE SUB INSPECTOR OF POLICE,
MALLI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.POLEX LEGAL SOLIUTIONS, (SR-300[I] dated 07/01/2020)

ORDER IN
CRL OP(MD) No.25 of 2020
Date :06/01/2020

PMU

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