



WEB COPY

Cr.No. 1 of 2020.

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

Date : 05/11/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) Nos.10061 & 10062 of 2020

The Deputy Superintendent Of Police,
(In-Charge),
CCIW-CID Unit,
Madurai.
Crime No. 1 of 2020.

... Petitioner/Complainant
(in both the petitions)

Vs

R.J.Gangadharan

... Respondent/1st Accused
(in CRL OP(MD) No.10061/2020)

Pandi

... Respondent/3rd Accused
(in CRL OP(MD) No.10062/2020)

For Petitioner : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)
(in both the petitions)

For Respondent : Mr.R.Gandhi
(in CRL OP(MD) No.10061/2020)

For Respondent : Mr.Veerakathiravan, Senior Counsel
for M/s. Veera Associates
(in CRL OP(MD) No.10062/2020)

PETITIONS FOR CANCELLATION OF BAIL Under Section 439(2) of Cr.P.C.

PRAYER :-

To cancel the anticipatory bail order granted in Cr.MP.Nos.3534 & 3433 of 2020 Dated 25.08.2020 on the file of the learned Principal and District and Sessions Judge, Madurai.

COMMON ORDER : The Court made the following order :-

These petitions have been filed to cancel the anticipatory bail order granted in Cr.MP.Nos.3534 & 3433 of 2020 Dated 25.08.2020 on the file of the learned Principal District and Sessions Judge, Madurai.



2.The accused Nos.1 and 3, while they were working as Assistant Secretary and President of Madurai Milk Project Employees Cooperative Thrift and Credit Society, alleged that they have committed misappropriation to the tune of Rs.6.63 crores pre-closing the deposits made by the depositors without their knowledge. On perusal of an enquiry reported under Section 81 of the Tamilnadu Co-operative Societies Act, the Enquiry Officer held the accused persons, are responsible for the same. Subsequently, the surcharge proceedings were initiated, by the defacto complainant under Section 81 of the Tamilnadu Co-operative Societies Act and the property worth about Rs.12 crores belongs to A1, A2, A3 and A4 were attached for recovery of the entire misappropriated money from the accused persons. On the strength of the enquiry report, the police registered a case in Crime No.1 of 2020, for the offence punishable under Sections 408, 420, 467, 468, 471, 477A and 120(B) of IPC.

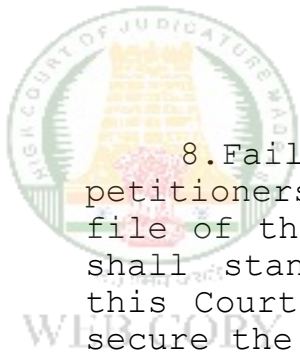
3.In pursuant to the said crime, the accused Nos.2 and 4 were arrested and remanded to judicial custody. Thereafter, the accused persons suppressed the said fact and obtained anticipatory bail on 25.08.2020 before the Court below. Therefore, the defacto complainant has come forwarded with these petitions to cancel the bail granted to A1 and A3.

4. The learned counsel for the petitioners would submit that the petitioners are now willing to deposit the total deed for the subsequent amount to show their bonafide to the credit of crime registered against them.

5. Considering the above submission, these petitions filed for cancellation of anticipatory bail granted to the accused Nos.1 and 3 is disposed of.

6. Accordingly, the petitioner / 1st accused shall deposit the original title deed stands in the name of the the petitioner / 1st accused or his relatives or his friends, not less than the value of Rs.1,00,00,000/- (Rupees one crore only) with the proper valuation certificate issued by the authorities concerned to the credit of Crime No.1 of 2020 on the file of the learned Principal District and Sessions Judge, Madurai within a period of two weeks from the date of receipt of a copy of this order.

7. Accordingly, the petitioner / 3rd accused shall deposit the original title deed stands in the name of the the petitioner / 3rd accused or his relatives or his friends, not less than the value of Rs.50,00,000/- (Rupees Fifty Lakhs only) with the proper valuation certificate issued by the authorities concerned to the credit of Crime No.1 of 2020 on the file of the learned learned Principal District and Sessions Judge, Madurai within a period of two weeks from the date of receipt of a copy of this order.



8.Failing which, the anticipatory bail granted to the petitioners in Cr.MP.Nos.3534 & 3433 of 2020 Dated 25.8.2020 on the file of the learned Principal District and Sessions Judge, Madurai, shall stand dismissed automatically without further reference to this Court and the petitioner / defacto complainant is directed to secure the accused Nos. 1 & 3 forthwith.

sd/-

05/11/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
MADURAI.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
(IN-CHARGE)
CCIW-CID UNIT,
MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) Nos.10061&10062/2020

Date :05/11/2020

DSS

SRS/KV/SAR-I/08.01.2021/3P/4C