



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2020

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PRESENT

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

CRL OP(MD).No.19487 of 2019

The Manager,
Two Wheeler Section,
Indus Ind Marketing and Financial Services
Private Limited,
No.75, Thripura Arkadu Building,
1st Floor, Palayamkottai,
Tirunelveli District.
Rep. through its Power of Attorney
P.Senthilkumar. ... Petitioner/Defacto Complainant

Vs

1. The Inspector of Police,
District Crime Branch,
Tirunelveli. ... 1st Respondent/Complainant
2. Muthupandi ... 2nd Respondent/Sole Accused

For Petitioner : M/s N.Mariappan, Advocate.
For R-1 : Mr.A.Robinson,
Government Advocate (Crl.Side)
For R-2 : Mr.A.Thiruvadi Kumar, Advocate

PETITION FOR CANCELLATION OF ANTICIPATORY BAIL Under Sec.439(2) of Cr.P.C.

PRAYER :-

To cancel the anticipatory bail granted to the second respondent / accused on 22.08.2019 in the above Crl.M.P.No.8221/2019 on the file of Learned Principal Sessions Judge, Tirunelveli.

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 first respondent and the learned counsel appearing for the second respondent.



2. This criminal original petition has been filed by the defacto complainant to cancel the anticipatory bail granted to the accused vide order dated 22.08.2019 in Cr.M.P.No.8221 of 2019 on the file of the Principal Sessions Judge, Tirunelveli.

3. The case of the defacto complainant is that the accused was working as a Manager. Some irregularities were found. He was therefore suspended from service. The specific allegation is that even after the accused was suspended from service, he continued to pose as if he was the employee of the complainant Company and he collected moneys from the customers.

4. When the matter was taken up for hearing on the last occasion itself, this Court directed the investigation officer to examine the customers and take statements from them whether they had given money to the accused even after he suspended from service.

5. Today the learned Government Advocate states that even after the accused was suspended from service, he has received money from 120 depositors and that so far 70 witnesses have been examined.

6. Since the accused on the face of it, has committed a serious breach of trust, I am of the view that it is not a fit case for grant of anticipatory bail. In this view of the matter, the order impugned in this criminal original petition stands set aside. The criminal original petition stands allowed, accordingly.

sd/-

24/02/2020

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/ /2020

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

TO

1. THE PRINCIPAL SESSIONS JUDGE, TIRUNELVELI.

2. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, TIRUNELVELI.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S N.MARIAPPAN Advocate SR.No.8222

+1CC TO Mr.A.THIRUVADI KUMAR, ADVOCATE, SR NO.8033

ORDER

IN

CRL OP(MD) No.19487 of 2019

Date :24/02/2020

AE/VR/SAR-2/02.03.2020/2P.6C

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