



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Sixth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon'ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15831 of 2021

GANESAMOORTHY

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VILLUPURAM,
VILLUPURAM DISTRICT.
CRIME.NO.15/2016

[RESPONDENT]

For Petitioner : MR. A.PADMANABHAN Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 409 & 420 of I.P.C. in Cr.No.25 of 2016, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/A2 is the Vice President of Kunnam Village Panchayat and A1 is the President of the said Panchayat. The petitioner along with A1 had utilized the Panchayat Union fund of Rs.14,43,659/- without following the right procedure. When the Block Development Officer came to know the above fact, the petitioner was issued with a memo and was ordered enquiry. Though the enquiry was ordered, the petitioner refused to authorize the unauthorized expenditure caused by him. Subsequently, when the District Collector had issued a show cause notice calling for explanation u/s 206(1)(A) of Tamil Nadu Panchayat Act 1994, there was no proper reply from the petitioner side and they were removed from the office. Hence the case was lodged by the defacto-complainant against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence prays for grant of anticipatory bail.



4. The learned Additional Public Prosecutor submitted that the A1 has misappropriated a sum of Rs.14,43,659/- of the public money and the investigation is pending in this case. Hence he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case that huge amount of the public money has been misappropriated by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-
06/09/2021

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 INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VILLUPURAM,
VILLUPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to A.PADMANABHAN Advocate on payment of necessary charges

CRL OP.15831/2021

Date :06/09/2021

INBA 24/09/2021