

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18114 of 2020

1 S.SABARI
2 R.PERIYASAMY
3 S.MAHESWARI

[PETITIONERS / ACCUSED]

Vs

STATE REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
CCIW (CID), NAMAKKAL,
NAMAKKAL DISTRICT. CR.NO.03/2020.

For Petitioner : M/S.N.MANOKARAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 465, 468, 477A, 408, 409, 420, 109 & 114 of IPC in Crime No.3 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that 1st petitioner is the President and two other petitioners are members of the Co-operative Society, Tiruchengode Circle. It is alleged that the petitioners/A7, A10 and A11 along with other accused were said to have misappropriated a sum of Rs.2.39 crores caused loss to the Society. Hence, the Deputy Registrar of Cooperative Society, Tiruchengode Circle lodged a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioners would submit that the petitioners arrayed as A7, 10 and 11. He further submitted that surcharge proceedings were initiated against the petitioners with other employees as well as the main accused Secretary were said to have misappropriated the funds of Rs.1,56,00,000/-. According to the petitioners, out of Rs.1,56,00,000/-, the Secretary had already remitted a sum of Rs.1,10,00,000/- and the balance amount still not recovered. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that it is a clear case of cheating that the petitioner and other accused misappropriated to the tune of Rs.2.39 crores and caused loss to the Society. However, according to the petitioners, the Secretary of the Society has already remitted the amount at Rs.1,10,00,000/- out of Rs.1,50,00,000/- and the balance amount is yet to be recovered.

5.Taking into consideration the gravity of offence committed by the petitioners and that huge amount is involved in this case and that the investigation of this case is still under-way, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this criminal original petition is dismissed.

-sd/-

16/04/2021

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,
CCIW (CID), NAMAKKAL,
NAMAKKAL DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.MANOKARAN Advocate on payment of necessary charges
Sr.5026

CRL OP.18114/2020

Date :16/04/2021

RVR 23/04/2021

WEB COPY