



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Third day of August Two Thousand and Twenty One

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.9925 of 2021

V.RAJA

... PETITIONER/ACCUSED No.2

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
C.C.B, MADURAI CITY.
(CRIME No.9/2021).

... RESPONDENT/COMPLAINANT

For Petitioner : No Appearance

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor (Crl. Side)

For Intervenor : Mr.A.SIVASUBRAMANIAN,
Advocate

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

PRAYER :

For Anticipatory Bail in Crime No.9 of 2021 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

This petition came to be dismissed on 18.06.2021 by an elaborate order observing that there was a double locking system, which was adopted in the company and without the knowledge of the petitioner, the occurrence would not have been taken place. Second application also came to be dismissed observing that there is no change of circumstances. This is third application on the same line.

2. The learned counsel for the petitioner would submit that the first accused has given an undertaking that he has filed an affidavit before the Enquiry Officer to the effect that he will settle the whole amount.



3. The learned Additional Public Prosecutor would submit that foreign currency is also involved in this case and so far it has not been recovered and considering the magnitude of the offence and involvement of the petitioner, the benefit of anticipatory bail cannot be extended to the petitioner.

4. The learned counsel for the intervenor submitted as per the judgment of the Hon'ble Supreme Court in the **State of Tamilnadu Vs.S.A.Raja** in **Crl. A No.1470 fo 2005** dated 26.10.20205 without change of circumstances repeated bail or anticipatory bail application should not be entertained.

5. Since there was a double locking system in the office, the question of non-involvement of the petitioner does not arise and filing of an affidavit by the first accused may not absolve the criminal liability of the petitioner and no change of circumstances is noticed. Accordingly, this petition is dismissed.

sd/-
03/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
C.C.B, MADURAI CITY.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9925 of 2021
Date :03/08/2021

cm
USK/VR/SAR-I : 06/08/2021 : 2P/3C