BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.10531 of 2021

R.Rameshpandian, ... Petitioner/Sole Accused

Vs

State rep by
The Inspector of Police,
District Crime Branch, Nagercoil,
Kanyakumari District.
Crime No. 10 of 2021. ... Respondent/Complainant

For Petitioner : M/s.Sheik Abdullah M,
Advocate.
For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-
For Bail in Crime No. 10 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 12.07.2021 for the alleged offences under Sections 403, 409, 477(A) and 420 I.P.C, in Crime No.10 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is a staff in City Union Bank. He has illegally pre-closed the fixed deposits of one Mrs.Vanitha Sudharson having Receipt Nos. 500707060122873 and 500707060125995 to the tune of Rs.13/- lakhs without her knowledge and approval and misappropriated the same.

3.The learned counsel for the petitioner would submit that there is no material as against this petitioner that he has committed an offence. Moreover, this complaint has been lodged after a period of three years without audit report, day end report or IT returns etc., He would further submit that the occurrence had taken place in the month of February -2018, for which, a complaint was lodged in the year 2021. The petitioner is in judicial custody from 12.07.2021, hence, he may be granted bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent police strongly opposed the grant of bail to the petitioner on the ground that the defacto complainant in this case is the Manager of the City Union Bank and this petitioner was working as a Clerk in the said Bank. The City Union Bank introduced a Noval Scheme of designated bank officials as 'Relationship Managers' for providing door step service to the customers. By taking advantage of this Noval Scheme, the petitioner and some other officials of the City Union Bank have created fake records and have transferred the fixed deposit amount of the said Vanitha Sudharson and other customers. This petitioner has swindled money to the tune of Rs.16/- lakhs from Vanitha's fixed deposits and other customers by way of pre-closure. He further submitted that this is not the first time the petitioner has committed such an offence, but committed this sort of offence in previous occasion also. He further submitted that the investigation is at preliminary stage.

5.Considering the facts and circumstances of the case, the serious nature of offence committed by the petitioner and the fact that the investigation is at initial stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/08/2021

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

MSA

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 Inspector of Police,
District Crime Branch, Nagercoil,
Kanyakumari District.

2.The Officer Incharge, District Prison, Nagercoil.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.10531 of 2021
Date : 12/08/2021

TR/JC/SAR-IV (23.08.2021) 3P 4C