



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17482 of 2021

WEB COPY

1. A.Dhanasekaran
2. S.Palanikumar
3. J.Presilla John Mathew
4. T.V.Sakthi Ganapathy
5. Rakesh Bhatt

... Petitioners/Accused Rank Not Known

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Kanyakumari District.
(Crime No.10 of 2021)

... Respondent/Complainant

For Petitioners : Mr.N.Vallinayagam,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory bail in Crime No.10 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 403, 409, 477A and 420 of IPC, in Crime No.10 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused were working in the City Union Bank in various positions and they have misappropriated the fixed Deposit amount of one Vanitha. Without the knowledge of the said Vanitha they transferred her fixed deposit amount to the petitioners' account. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that investigation has been conducted by the bank authorities



and a report has been sent to the bank officials neither record any allegations nor found any offence against the petitioners herein.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based on the complaint given by the defacto complainant, enquiry was conducted and during the course of enquiry it was found that the entire amount has been re-deposited in the customer account namely Vanitha.

5.Considering the facts and circumstances of the case and also the fact that the entire amount has been deposited in the customers account, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate No.I, Nagarcoil, Kanyakumari District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

10/12/2021

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/ /2021

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to MR.N.VALLINAYAGAM, Advocate (SR-9177[I] dated 13/12/2021)

ORDER

IN

CRL OP(MD) No.17482 of 2021

Date :10/12/2021

TTA

<https://hccr.ces.gov.in/Services/2.2021/2P/6C>