



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Third day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4515 of 2022

K.RAJENDRAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
COMMERCIAL CRIME INVESTIGATION WING (CCIW),
CUDDALORE.
CRIME NO.2 OF 2022

[RESPONDENT]

For Petitioner : M/S.M.S.PALANISWAMY Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 408, 471 and 477A of IPC, in Crime No.2 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. This petition is for anticipatory bail filed by the former Secretary of the Cooperative Society apprehending arrest for the case registered against him in Cr.No.2 of 2022 by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner as a Secretary cannot commit offence as alleged in the FIR since his role is very limited to submit the loan proposal to the higher officials and whereas in this case, the entire loan was disbursed from the Central Cooperative Bank and the loan amount was directly credited to the loanee who are the members of the Society. He further submitted that the petitioner has been falsely implicated



in this case and he is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. However a detailed counter has been filed by the respondent police narrating the manner in which the alleged misappropriation of fund has been committed by the present petitioner. The misappropriation has been classified under three different heads namely granting crop loan without Chitta and Adangal, without securing lease agreement and without production granting loan on the excess extent of land against the eligible extent.

5. From the FIR, it appears nearly a sum of Rs.37,99,208/- has been misappropriated by the petitioner herein who has already retired from service. In such circumstances, unless and until the petitioner herein is secured and confronted with the evidence so far collected, it is difficult to proceed with the investigation and the abscondance of the petitioner herein. There is every likelihood of tampering of the records if the petitioner herein is not secured. This Court finds no merit in this petition.

6. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

-sd/-

03/03/2022

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
COMMERCIAL CRIME INVESTIGATION WING (CCIW),
CUDDALORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.S.PALANISWAMY Advocate on payment of necessary charges SR.NO. 3392

CRL OP.4515/2022

Date :03/03/2022

RW 11/03/2022