



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

Dated: 16/02/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

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Crl.OP(MD)No.2656 of 2022

Bilal Mansoor

... Petitioner/Accused Rank
Not known

Vs.

The State rep. By
The Inspector of Police,
DCB, Virudhunagar,
Virudhunagar District.
(Crime No.21 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.AJMAL KHAN, Senior Advocate
for M/s.Ajmal Associates

For Respondent : Mr.SS.MADHAVAN
Government Advocate(Criminal side)

PETITIONS FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.21 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

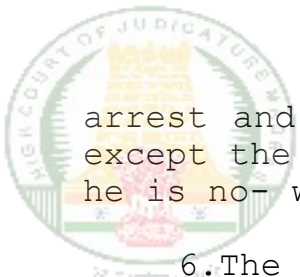
This petitioner, who is arrayed as an accused apprehending arrest at the hands of the respondent police for the alleged offence under sections 120-B, 408 and 420 IPC, in Crime No.21 of 2021, seeks anticipatory bail.

2.The petitioner is facing the charges for the offences under sections 120-B, 408 and 420 IPC.

3.Heard both sides.

4.The earlier anticipatory bail application that was filed by the petitioner was heard along with the connected matter and that came to be dismissed observing the alleged role that has been played by the petitioner in the transaction. Now this is the second anticipatory bail petition.

5.During the course of argument, the learned Senior counsel would submit that the petitioner is working as Quality Manager in the concern of Visteon Electronic India Private Limited. After marriage, he is residing in Chennai and attending his work and in the event of



arrest and remand, there is every likelihood of losing his job. So except the fact that the petitioner is the son of the first accused, he is no-way connected in the above said occurrence.

6.The learned Government Advocate (Criminal side) would submit that day by day, the amount that has been involved in the offence is increasing and as on date, total amount of Rs.54,00,000/- was found to be misappropriated.

7.On perusal of the CD file shows that there is further development with regard to the offence.

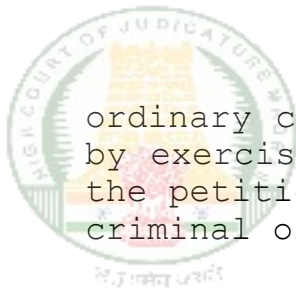
8.According to the learned Senior counsel, as promised, A1 surrendered and remanded to judicial custody on 17/11/2021. Similarly A2 was remanded on 22/11/2021, A3 on 24/11/2021, A6 on 03/01/2022 and A7 on 26/01/2022. Now totally eight accused persons alleged to have involved in the offence. Similarly, the total number of accused persons is also increasing. The newly added 6th accused is stated to be the Typist and A7, who is working as Head Clerk in District Munsif Court, Virudhunagar. Similarly, the 8th accused is also a practising Advocate, in whose account, according to the prosecution money has been transferred.

9.It is further submitted that the amount has also been transferred to the account of this petitioner, who is arrayed as A5. So the contention on the part of the learned Senior counsel that in the event of arrest, there is every likelihood of losing the job cannot be matter for consideration.

10.As observed earlier, the money, which was misappropriated is nothing, but a money, which belongs to the sufferers. So it can be otherwised called as 'pain money'. When huge amount is involved, the question of granting anticipatory bail cannot be considered, unless a strong case has been made out by the petitioner. Except stating that after marriage, this petitioner is residing in Chennai and attending his work, no other thing has been brought on record.

11.As mentioned above, day by day, the total amount involved in the occurrence as well as the number of the accused persons are increasing. So it appears that a big net-work worked or involved in the above said occurrence. Unless the custodial interrogation is done, the real and true fact will not come to light. The reason for such an observation is that A1, who is the father of this petitioner informed the court that only Rs.28,00,000/- was involved in the offence and he also undertook to deposit the same. Subsequent to the direction by this court, he has also deposited the amount. Even at that time, he did not state the correct the amount involved in this offence. He remained silent by depositing a portion of the amount. When such being the conduct, all the accused persons, who are involved in the occurrence, as mentioned above, custodial interrogation of these accused persons is very much necessary.

12.At the risk of repetition, this court wants to observe that money and it cannot be taken lightly like any other



ordinary case of misappropriation. So, this is not the fittest case by exercising the discretionary power to grant anticipatory bail to the petitioner. I find no merit in this petition. Accordingly, this criminal original petition is **dismissed**.

sd/-
16/02/2022

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/ TRUE COPY /

/ /2022

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

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,
DCB, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.AJMAL ASSOCIATES, SR.No.1209

**ORDER
IN**

CRL OP(MD) No.2656 of 2022
Date :16/02/2022

SA/PN/SAR.1/21.02.2022/3P/4C