



WEB COPY

CRL OP(MD).



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

Date : 22/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.6980 of 2022

Edwin Raja, ... Petitioner/Sole Accused

Vs

State Rep by
The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
Crime No.363 of 2022. ... Respondent/Complainant

Sakthi Prakash ... Intervening Petitioner
in CRL MP(MD).8010 of 2022

For Petitioner : M/s.Navaneetha Raja K,
Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)
For Intervenor : Mr.B.Jameel Arasu

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

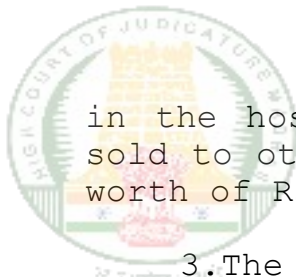
PRAYER :-

For Anticipatory Bail in Crime No.363 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under section 408 IPC in Crime No.363 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was working as Lab Assistant in the de-facto complainant's hospital, namely, Ganesha Thevar Memorial Hospital, wherein, the petitioner has misappropriated the equipment used for heart surgery and sold to other hospital and also ordered some medical equipment



in the hospital's name illegally and received through col and sold to other hospital. Hence, the petitioner has done scam to the worth of Rs.5,13,839/-.

3.The learned counsel for the petitioner would submit that the petitioner worked as Lab Assistant in the de-facto complainant's hospital in the year 2020. The petitioner is a qualified lab technician and he completed the required technical courses to operate the Coronary Angiogram machine and he was placed as an operator for the machine. Apart from that, the petitioner is also privately selling the equipment and tools which are used for Coronary Angiogram machine. In such circumstances, the petitioner earned some enmity against the hospital manager and the courier which was received by he hospital is meant for this petitioner, but the hospital manager illegally grabbed it and threatened the petitioner and hence, the petitioner warned him that he would lodge a complaint against him, suddenly, the hospital manager along with henchmen attacked the petitioner and illegally detained him in the staff hostel. Hence, he seeks anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that the petitioner was working as a Lab Assistant in the de-facto complainant's hospital and purchased medical equipments by using the hospital's name and misappropriated a sum of Rs.5,13,839/-. He would further submit that the alleged amount is yet to be recovered.

5.Considering the gravity of the offence and also considering the quantum of amount involved in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

22/09/2022

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/10/2022

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

SJI

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.



CRL OP(MD).



22

1. The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.

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

ORDER
IN
CRL OP(MD) No.6980 of 2022
Date : 22/09/2022

TR/GB/SAR-II(30.09.2022) 3P 3C