



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 24/08/2022

PRESENT

The Hon'ble Mr. Justice **G. ILANGO VAN**

Crl.OP (MD) Nos. 9620, 9698 and 9858 of 2022

Rameshkumar	... Petitioner/Accused No.2 in Crl.OP (MD) No.9620 of 2022
Jeyaprakash	... Petitioner/Accused No.6 in Crl.OP (MD) No.9696 of 2022
P.Pradeesh	... Petitioner/Accused No.4 in Crl.OP (MD) No.9858 of 2022
Vs.	
State rep. By The Sub Inspector of Police, District Crime Branch, (In Crime No.12 of 2022) Theni District.	...Respondent/Complainant in CRL OP (MD) No.9620 of 2022
State rep. By The Inspector of Police, District Crime Branch, (In Crime No.12 of 2022) Theni District.	...Respondent/Complainant in CRL OP (MD) Nos.9698 & 9858 of 2022

For Petitioner in
Crl.OP (MD) No.9620 of 2022 : Mr.NA.Palaniyandi, Advocate

For Petitioner in
Crl.OP (MD) No.9696 of 2022 : Mr.M.Murugesan, Advocate

For Petitioner in
Crl.OP (MD) No.9858 of 2022 : Mr.B.Sudha Satyanand, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Criminal side)
in All petitions

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

COMMON PRAYER:-

For Anticipatory Bail in Crime No.12 of 2022 on the file of the
Respondent Police.



COMMON ORDER : The Court made the following order:-

The petitioners, who are arrayed as accused persons apprehending arrest at the hands of the respondent police for the offence punishable under sections 420, 406, 408, 463, 468, 469 and 471 IPC, in Crime No.12 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution, in all cases, is that the de-facto complainant was working as the authorised representative of LT Finance Company and in the Finance Company in the branch of Alinagaram, Theni district and Usilampatti Branch office, the following staff were working. One Suresh Kumar as Branch Manager, of Allinagaram, Ramesh Kumar as the Administrative Manager, one Rajendran, Vignesh as Field Officers and apart from that, one Pretheesh Pandi, Prakash and Jeya Prakesh as Branch Managers in Usilampatti branch and Ajithkumar, Administrative Manager, Anand as Administrative Manager, Ajithkumar and Thanga Pandi were working as Auditing Manager. All the above said persons were working in the Self Group branch. In the month of February 2019, it was noticed that there was sudden increase of loanees. As per the instruction given by the higher authorities, audit was undertaken and during the course of auditing, 112 customers database has been found created with false and fabricated, aadhar cards, death certificates, etc. By that process, they cheated and misappropriated Rs.16.80 lakhs. So on the basis of the complaint given by the above persons, totally 10 accused persons have been arrayed in this crime, which was registered for the offence punishable under sections 420, 406, 408, 463, 468, 469 and 471 IPC,

3.Now seeking anticipatory bail, A6-Jeyaprakash, who is the petitioner in Crl.OP(MD)No.9698 of 2022 has stated that there was a delay in registering the FIR and he is no-way involved in the above said offence. So far as Pretheesh, who the petitioner Crl.OP(MD) No.9858 of 2022 is concerned, he has stated that he joined the job, on 06/09/2019 and resigned the job on 02/02/2022 and he is noway involved in the above said occurrence.

4.It is the case of Rameshkumar, who is arrayed A2 in Crl.OP (MD)No.9620 of 2022 that he was working as Administrative Manager in the above said Branch and he was neither a sanctioning authority, nor a collection agent and he verified the papers, which were submitted by the field staff. But the sanctioning authority is only the Branch Manager. According to him, he is noway involved in the above said offence.

5.Heard both sides.

6.In this crime, some of the co-accused has been granted anticipatory bail on deposit to be made by them, depending upon the



involvement. So the matter was kept adjourned to inform the court about the independent role. But in spite of repeated adjournments, the learned Government Advocate (Criminal side) is not in a position to inform the court about the same. The matter is pending very long time. Since the co-accused persons have been enlarged on anticipatory bail on condition of deposit, the same benefit can be extended to the petitioners also.

7. So in the light of the facts and circumstances of this case, this court is inclined **to grant anticipatory bail to the petitioners** with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Theni and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and **on further condition that each petitioner must deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of the crime No.12 of 2022 before the concerned court** at the time of furnishing surety and the petitioners shall appear before the respondent police, daily at 10.00 a.m, until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petitions for anticipatory bail will stand dismissed.

sd/-

24/08/2022

/ TRUE COPY /

/09/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THENI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT.



4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-8987[I] dated 25/08/2022)

+1 CC to M/s.MURUGESAN Advocate (SR-9131[I] dated 26/08/2022)

ORDER

IN

Crl.OP (MD) Nos. 9620, 9698
and 9858 of 2022

Date : 24/08/2022

ER

PKP/SVR/SAR-2/20.09.2022/4P/8C