



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 27/06/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.10278 of 2022

Ramalakshmi

... Petitioner/Sole Accused

Vs.

State rep. By
The Inspector of Police,
DCB Police Station,
Thoothukudi District.
(Crime No.22 of 2022)

... Respondent/Complainant

For Petitioner : Mr.M.Pandian, Advocate

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER:-

For Anticipatory Bail, in Crime No.22 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 420 and 353 IPC, in Crime No.22 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 temporary Computer Operator in Ottapidaram Panchayat Union under the Jal Jeevan Mission Scheme. She was in charge of the expenses, that incurred in the above said Scheme. During the course of above said duty, instead of transferring the money to the concerned contractors account, she transferred the amount to her relatives account and also placed in own account and thereby caused Rs.4,49,724/- to the Government. When that was enquired, the de-facto complainant was abused and also prevented from discharging his official duty.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Heard both sides.



4.The learned counsel appearing for the petitioner would submit that the petitioner was working as a temporary staff and she was authorised to pay the amount, which was given in the panchayat office.

5.When perusal of the CD file and preliminary investigation it shows that by exercising her official position, she linked the account number of her relatives as well as herself. The date of transfer of the money to the above said account has also been found out during the course of preliminary enquiry and investigation. The statement of the account, which was collected bearing No.095501000007544 etc. So the preliminary enquiry and investigation shows that the amount has been stealthily transferred to the account.

6.The contention on the part of the petitioner that she has transferred the amount, which was given by the office is not correct on record. When misappropriation is noticed, the petitioner is not entitled for the discretionary relief of anticipatory bail. The petitioner has to undergo the custodial interrogation to find out as to how she transferred the amount and who were benefited by such crime.

7.In the result, this petition is **dismissed**.

Sd/-

27/06/2022

/ TRUE COPY /

28/06/2022

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

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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 Police Station,
Thoothukudi District.

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

ORDER

IN

CRL OP(MD) No.10278 of 2022

Date :27/06/2022