



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 09/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.11816 of 2021

Saravanan

... Petitioner/Rank not known

Vs.

State rep.by its
The Inspector of Police,
District Crime Branch,
Trichy
Trichy District.
(Crime No.12 of 2021)

... Respondent/Complainant

For Petitioner : M/s.N.Anandakumar, Advocate

For Respondent : M/s.SS.Madhavan
Government Advocate (Cr1. side)

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

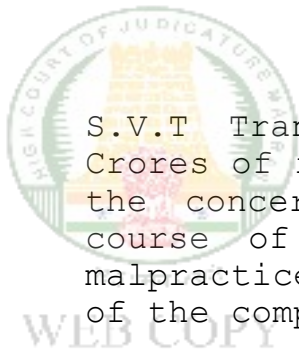
PRAYER :-

For Anticipatory Bail in Crime No.12 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as an accused apprehending arrest at the hands of the respondent police for the alleged offences under sections 406, 409, 420, 468, 477(A) IPC, in Crime No.12 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the Government of India introduced a scheme for the purpose of developing or improving or promoting cashless transactions. As per the scheme, if the selling of petroleum product is undertaken through debit card, the dealer is entitled for 0.75% of reward. Taking advantage of the above said scheme, the dealer with the connivance of the Manager namely Saravanan, who is the petitioner herein joining the hands with one



S.V.T Transport, indulged in malpractice and benefited Rs.5.60 Crores of rupee. When this malpractice was brought to the notice of the concerned authorities, they made inspection and during the course of inspection and check up of records, the above said malpractice and the criminal activities came to light. On the basis of the complaint, the case has been registered.

3.Heard both sides.

4.Now the learned counsel appearing for the petitioner would submit that this petitioner was only working as a Manager in the petrol outlet dealership company and he has no way benefited by the said transaction and according to him, the dealer would have been benefited. But however, there is a specific allegation to the effect that this petitioner was a Manager during the relevant time and only with his acting, the above said misappropriation and illegal claim of benefit has been gained. Now only the husband of the dealer namely Paneerselvam looking after the day today affairs of the outlet. But such sort of contention cannot be taken into account at this stage. Taking note of the issue involved, a direction was issued by this court directing the petitioner to deposit Rs.15 Lakhs to the credit of Crime No.12 of 2021 before the Judicial Magistrate No.1, Trichy and he has also directed to co-operate with the respondent police to complete the process of investigation. Now pursuant to the above said order, the amount has also been deposited and the deposit receipt is also produced.

5.Considering the above facts and circumstances of this case and also considering the limited role that has been played by the petitioner in respect of the above activities, this Court is inclined to grant **anticipatory bail to the petitioner** with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.1, Trichy and on his 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 Judge concerned and on further condition that the petitioner shall appear before the respondent police once in 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner 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 petition for anticipatory bail will stand dismissed.

Sd/-
09/02/2022

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/ /2022

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



1. THE JUDICIAL MAGISTRATE NO.I,
TRICHY.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TRICHY, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.11816 of 2021
Date :09/02/2022

SP/JM/SAR IV/15/02/2022/3P/5C