



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.15459 of 2022

1. Sastha

2. Sudhakar

... Petitioners/Accused Nos.1 & 2

Vs

The State represented by
The Inspector of Police,
Thirumangalam Town,
Madurai District
(Crime No. 294 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Sivaprakash.S,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.294 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 381 of IPC, in Crime No.294 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a company namely Agasthiya Polymers. The accused were working in the said company. Due to corona pandemic, the defacto complainant instructed the accused to manage the company. In this circumstances, the accused changed new machine, which is worth about Rs.12 lakhs and replaced with old machine and sold some of the old machine, which is worth about Rs.8,00,000/-. Hence, the complaint.



3. The learned counsel for the petitioners would submit that the petitioners and the defacto complainant are relatives. He would further submit that the company called Agasthiya Polimers has been started by these petitioners and they have been shown as Proprietors in GST Registration certificate. He would further submit that the petitioners have appeared before the respondent police and produced all the documents available to them and they did not commit any offence as alleged by the prosecution and the petitioners shall abide any condition imposed by this Court and they may be granted anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the petitioners are employee of the defacto complainant's company and they cheated a sum of Rs.20,00,000/-. He would further submit that the investigation in this case is not yet completed and the custodial interrogation of the petitioners are very much necessary. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5. Considering the nature and gravity of the offence and considering the huge amount involved in this case and also the facts that the investigation in this case is not yet completed and the custodial interrogation of the petitioners are very much necessary as stated by the learned Government Advocate(crl.side), this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.
sd/-

12/10/2022

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/10/2022

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

TO

- 1 THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN, MADURAI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15459 of 2022
Date :12/10/2022

SS/BUC/SAR-II (26/10/2022) 2P/3C