



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/11/2022

PRESENT

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

CRL OP (MD) . No.17423 of 2022

Iyyappan

... Petitioner/ Sole Accused

Vs

1.The State Rep.by
The Inspector of Police,
Kalakadu Police Station, Tirunelveli
District.

(Crime No.226 of 2022)

... Respondent/Complainant

2.M.Rajesh Kumar

... Intervener/
Defacto Complainant
(In CRL MP (MD) No.12186 of 2022
in CRL OP (MD) .No.17423 of 2022)

For Petitioner : M/s.Arun A.V.,
Advocate.

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

For Intervener : Mr.Anand C.Rajesh

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

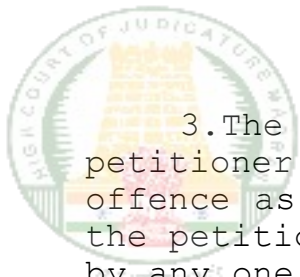
PRAYER :-

For Anticipatory Bail in Crime No.226 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 Sections
406, 408 and 420 IPC in Crime No.226 of 2022, seeks anticipatory
bail.

2.The case of the prosecution is that the de-facto complainant
is the Branch Manager in Sri Ram Transport Financial Company at
Kalakadu Branch. The petitioner is working as Collecting Agent at
Kakakadu Branch. While so, the petitioner has not deposited the
collection amount of Rs.15,60,893/- and swindled the same. Hence,
the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner ID, which is used for collecting money, could be used by any one Manager, Chief Manager and Collection Agent and the login was used by the officials of the Company. Hence, the learned counsel seeks for anticipatory bail to the petitioner.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that since the amount involved in this crime is Rs.15,60,893/-, custodial interrogation is necessary. He would further submit that in this case, investigation is not completed. Hence, the learned Government Advocate (criminal side) has strongly opposed to grant anticipatory bail to the petitioner

5.The learned counsel appearing on behalf of the intervener strongly opposed to grant anticipatory bail to the petitioner by stating that the amount involved in this crime is Rs.15,60,893/-, hence, custodial interrogation is necessary.

6.Considering the facts and circumstances of the case and also considering the nature of the offence and also considering the fact that the amount involved in this crime is Rs.15,60,893/- and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/11/2022

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/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE INSPECTOR OF POLICE
KALAKADU POLICE STATION, TIRUNELVELI

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

+1CC to M/s.Ananth C.Rajesh, Advocate (SR.No.13577)

ORDER
IN
CRL OP (MD) No.17423 of 2022
Date :23/11/2022