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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2022

PRESENT

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

CRL OP(MD). No.18731 of 2022

Josaph Loyala @ Joseph Loyala ... Petitioner/Accused No.1

Vs

1.The State rep.by,
The Inspector of Police,
District Crime Branch Police Station,
Virudhunagar District.
Crime No. 22 of 2022. ... Respondent/Complainant

2.The President,
Sivakasi Institute of Printing Technology,
A.Meenatchipuram,
Anaikutam Post,
Virudhunagar District. ...Petitioner/Intervener/Informant

For Petitioner : M/s.Pandi Rani P,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
No.1 Additional Public Prosecutor

For Intervenor : Mr. N. Dilipkumar, Advocate

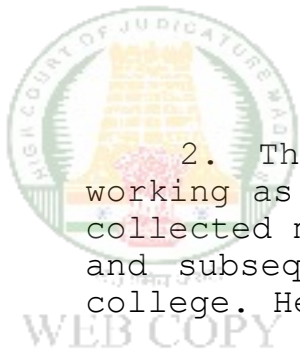
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

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 apprehending arrest at the hands of the respondent police for the offences punishable under sections 120-B, 408 and 420 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 is working as a Cashier in the defacto complainant's college and he has collected money from the students for college fees by giving receipt and subsequently, failed to repay a sum of Rs.48,05,863/- to the college. Hence, the compliant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that totally two accused involved in this case and the A1 has collected money from the college students and gave a receipt to them and subsequently, he did not repay the amount to the College. He would further submit that the investigation of the case is in preliminary stage and he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the intervenor submitted that the petitioner has mis-appropriated the huge amount of Rs.48,05,863/- and hence, he seeks dismissal of this petition.

6. Considering the submission made by the learned counsel appearing on either side and also considering the serious nature of allegations made against the petitioner and that investigation of the case is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/11/2022

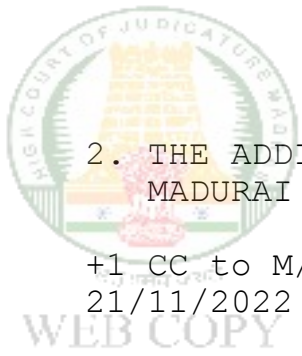
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/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-13350[I] dated
21/11/2022)

ORDER

IN

CRL OP(MD) No.18731 of 2022

Date :18/11/2022

RK/SSS/SAR-2 (29/11/2022) 3P/4C