



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 31/10/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.19056 of 2022

S.Venkatesan

... Petitioner/3rd Accused

Vs

The State rep.by
The Inspector of Police,
City Crime Branch,
Trichy City.
Cr.No.15/2020.

... Respondent/Complainant

For Petitioner : Mr.S.Sarvagan Prabhu
Advocate

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

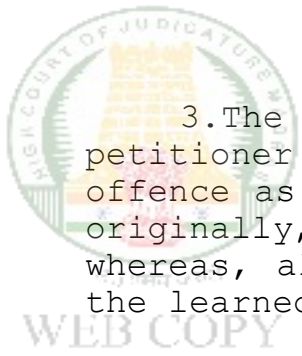
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No. 15/2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 421, 422, 424 IPC in Crime No.15 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the defact complainant is the Assistant Manager of Axis Bank, Thillai Nagar, Triveni Building, Trichy. The defacto complainant bank had taken over the loan of A1 and A2 from the petitioner's bank namely, M/s Cholamandalam Investment and Finance Co. Ltd., in the year 2015, whereas, the petitioner bank after the pro-closure of loan account, failed to entrust the original documents of A1 and A2 to the defacto complainant Bank and the same was intimated to the petitioner's bank. In such circumstances, on verification of encumbrance certificate, it was revealed that A1 and A2 had sold out the secured Assert. Hence, based on the complaint preferred by the defacto complainant, the present case has been registered by the respondent police as against the petitioner and A1 and A2.



3.The learned counsel for the petitioner would submit the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that originally, the petitioner had taken the charge in the year 2017, whereas, all the alleged transaction was in the year 2017. 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 the amount involved in this crime is Rs.1,46,50,000/- and in this case, investigation is not yet completed. Hence, the learned Government Advocate (criminal side) strongly opposed to grant anticipatory bail to the petitioner.

5.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.1,46,50,000/- and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

31/10/2022

/ TRUE COPY /

/11/2022

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

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,
CITY CRIME BRANCH, TRICHY CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.19056 of 2022
Date :31/10/2022

SKN

SA/VR/SAR.2/03.11.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>