



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15/11/2022

PRESENT

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

CRL OP(MD). No.19573 of 2022

Pitchaiah, ... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
City Crime Branch (CCB),
Tirunelveli City,
Tirunelveli District.
(Crime No.12 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Saravanakumar C, Advocate.

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

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

PRAYER :-

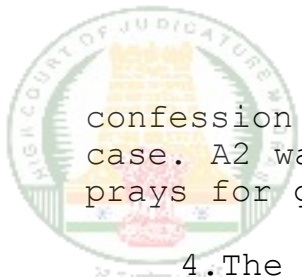
For Anticipatory Bail in Crime No.12 of 2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of
the respondent police for the offences punishable under Sections
406, 407, 409, 417, 418, 420 IPC, in Cr.No.12 of 2022, seeks
anticipatory bail.

2.The case of the prosecution is that the complainant has
received a information from the Regional Head of ESAF small Finance
Bank Viz., sumesh Gopinath that in the Palayamkottai Branch, the
employees gave loan on imitation jewels. Based on that, enquiry was
conducted. On enquiry, the Manager, Palayamkottai Branch viz.,
Thirunavukkarasu gave four gold loans for a total sum of
Rs.69,90,000/- without getting sanction from the complainant. Hence,
the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case. He would further submit this is the second anticipatory bail
application. Earlier anticipatory bail application filed by the
petitioner in Crl.OP(MD)No.17922 of 2022 was dismissed by this Court
on 06.10.2022 on the ground that the investigation was at initial
stage and the petitioner's name was not found in the FIR. Only on the



confession statement of the co-accused, he was implicated in this case. A2 was released on bail by this Court on 31.10.2022. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that totally 6 accused are involved in this case. The petitioner was arrayed as A6. The petitioner has played main role in the above said occurrence. He received a sum of Rs.12 lakh by using the name of one Amutha, who is one of the beneficiary. Further, he arranged the persons for obtaining gold loan. By which, he has received a sum of Rs.16,000/- from A1. The investigation is in initial stage. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the gravity of the offence, the custodial interrogation of the petitioner is necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/11/2022

/ TRUE COPY /

/11/2022

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

DSS

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 (CCB),
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19573 of 2022

Date :15/11/2022

PKP/VR/SAR /25.11.2022/2P/3C

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