



Crl.O.P.No.5155 of 2023

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A.D.JAGADISH CHANDIRA, J.

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 381 of IPC and 66D of Information Technology Act, 2000 in Crime No.78 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Vimalkumar is that, he had started a ready made store room in the name of Star Link Export for that he had appointed the accused to manage the affairs of the shop. Since there was continuous loss in the shop, he had verified the accounts of the shop for which, the accused had committed criminal breach of trust and also misappropriated to a tune of Rs.24 lakhs and also deleted the bills from the computer. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has joined only during the year 2018 and he has resigned from the shop during the year 2022 and



CrI.O.P.No.5155 of 2023

thereby he has not committed any offence as alleged by the prosecution.

Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner along with other accused had committed criminal breach of trust and also cheated a tune of Rs.24 lakhs. He also submit that the arrested accused is still in custody and the investigation is at nascent stage and hence he opposed for the grant of anticipatory bail to the petitioner.

5. The learned counsel for the intervenor would submit that the petitioner is the first employee in the shop and he is the person who has been entrusted with the work and he has committed criminal breach of trust and he along with other accused not only cheated to a tune of Rs.24 lakhs but also deleted the entries in the computer and thereby he object for grant of anticipatory bail to the petitioner.

6. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case



CrI.O.P.No.5155 of 2023

and also considering the fact that the arrested accused is still in custody and the investigation is at nascent stage, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

20.03.2023

drl

A.D.JAGADISH CHANDIRA.,J.



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Crl.O.P.No.5155 of 2023

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Crl.O.P.No.5155 of 2023

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