



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/03/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4396 of 2023

K.Anand

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Madurai District.
Crime No.23/2022.

... Respondent/Complainant

For Petitioner : MR.ANANDHA PADMANABAN, Senior Counsel
for M/S.APN LAW ASSOCIATES

For Respondent : MR.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

PRAYER :-

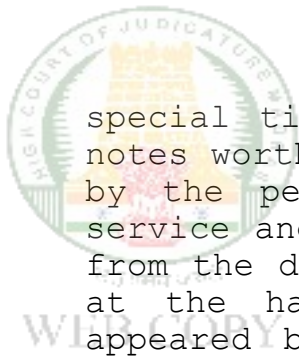
For Anticipatory Bail in Crime No.23/2022 on the file of the Respondent police.

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 409, 420, 465 and 489C of I.P.C., in Crime No.23 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the fake currency notes received in the case of Crime No.202 of 2021 were dumped at the unused police quarters and that was occupied by the special team in the serious crime squad led by the petitioner, without any authority or instructions from the department. Hence, the complaint.

3. The learned Senior Counsel appearing for the petitioner would submit that the petitioner did not occupy the premises at any point in time. For the recovery of fake currency notes dumped in gunny bags, a special report was filed by the Deputy Superintendent of Police, Sivakasi on 24.05.2022, wherein it is stated that he
<https://www.mca.gov.in/judis> his team conducted a surprise raid on the basis of the



special tip off from discrete sources and recovered fake currency notes worth about Rs.1,45,50,000/- and the same was exclusively used by the petitioner. Now, the petitioner was also suspended from service and he is facing departmental proceedings. After six months from the date of registration, now the petitioner apprehends arrest at the hands of the respondent. In fact, the petitioner also appeared before the Deputy Superintendent of Police for enquiry. Therefore, the custodial interrogation of the petitioner does not require and sought for anticipatory bail.

4. Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.

5. On perusal of the records and the enquiry report submitted by the Deputy Superintendent of Police, dated 24.05.2022, the present case has been registered against the petitioner in Crime No.23 of 2022 for the offences under Sections 409, 420, 465 and 489C of I.P.C., on the file of the respondent. Now, the petitioner was suspended from service and facing other departmental proceedings. In fact, the petitioner was served with 41-A Cr.P.C notice and he failed to appear for enquiry. The Deputy Superintendent of Police, Sivakasi conducted a surprise check on the police quarters at Thirumangalam Town on 24.05.2022, wherein, fake currency notes worth about Rs.1,45,50,000/- were seized and on interrogation revealed that the petitioner, who recovered the fake currencies in connection with Crime No.202 of 2021 on the file of the Inspector of Police, Kallikudi Police Station, had kept them illegally by showing only fake currency notes worth about Rs.18,000/- as recovered in the said crime number. That apart, a sum of Rs.8,00,000/- has been deposited in the petitioner's savings Bank account at Karur Vysya Bank, Thirumangalam Branch, Madurai District without any source and in another case, the petitioner received a bribe of Rs.10,00,000/- from the accused persons, namely Jeyavelan, Subburaj, Padmanabhan and Rajapandi, in order to release them during midnight. He also received a sum of Rs.2,00,000/- as a bribe from accused persons, namely Sekar and Vignesh in order to escape from the theft case. Therefore, the charges were framed as against the petitioner and he is facing departmental proceedings. Hence, the custodial interrogation of the petitioner is very much required in this case and this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/03/2023

/ TRUE COPY /

/03/2023

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



CRL OP(MD).



23

TO

1. The Inspector of Police,
District Crime Branch
Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.4396 of 2023

Date :15/03/2023

RS/BUC/SAR-3(27.03.2023) 3P 3C