



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/04/2023

PRESENT

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

CRL OP(MD) . No.6603 of 2023

Vigneshwaran

... Petitioner/A1

Vs

The Inspector of Police,
Sankarankovil Police Station,
Tenkasi District.
(Crime No.208 of 2022).

... Respondent/Complainant

For Petitioner : Mr. T.S.Mohamed Mohideen
Advocate.
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor
For Intervenor : Mr.P.Authimoola Pandian

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

PRAYER :-

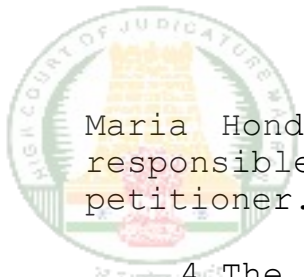
For Anticipatory Bail in Crime No.208 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 406, 420, 465, 467 and 506(2) of I.P.C., in Crime No.208 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Managing Director of Maria Motors Private Limited, dealing with cars. The petitioner was working as Accounts Manager from the year 2012 to 29.10.2022 and the other co-accused in this case are co-employees of first accused. During the period from 01.01.2022 to 12.12.2022, the accused persons have misappropriated to the tune of Rs.83,70,038/- by fabricating false documents. During the investigation, it found that the volume of misappropriated amount is more than 1 Crore and 25 Lakhs. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner was running a auto consulting company in the name of 'Lingo Consulting Company'. Earlier, he was working at



Maria Honda and for the loss of fund, the petitioner is in no way responsible. A false case has been foisted as against the petitioner.

4. The learned counsel appearing for the intervenor submitted that the petitioner was working as Accounts Manager and he swindled to the tune of Rs.1,35,81,939/-. He created an account as he is the Coordinator of Maria Honda and all the accounts were altered. The purchaser deposited in the said account and the same was misappropriated by the petitioner. In fact, before this Court already the petitioner filed a petition for anticipatory bail and the same was dismissed as withdrawn. That apart, again the petitioner approached the District Court and the same was also dismissed.

5. There are totally 4 accused, in which, the petitioner is arrayed as A1. Admittedly, the petitioner was working as Accounts Manager from the year 2012 to 29.10.2022 and he opened account in the name of Maria Honda Finance and cheated the entire amounts from the customers, which were collected on behalf of the defacto complainant. Thereby, he committed serious offence and as such, the custodial interrogation of the petitioner is very much required in this case. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/04/2023

/ TRUE COPY /

/04/2023

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

RMK
TO

- 1 THE INSPECTOR OF POLICE
SANKARANKOVIL POLICE STATION
TENKASI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.ATHIMOOLAPANDIAN, Advocate (SR-5714[I] dated 12/04/2023)

ORDER

IN

CRL OP(MD) No.6603 of 2023

Date :11/04/2023