



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

Date : 05/06/2023

PRESENT

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

CRL OP(MD) . No.9027 of 2023

Mesak @ Meshak

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
Kv Nallur Police Station,
Tenkasi District.
(Crime No.83 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Muthamizh Selvakumar.P
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.83 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 465, 420, 506(i) of I.P.C, in Crime No.83 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that he is working as a Manager in Thirumurugan Finance. The company had financing the loan to two wheelers. The petitioner had running the two wheeler show room in opposite of defacto complainant's room. The petitioner had arranged the loan and collected amounts from the applicants. The petitioner had involved the collection of instalment amount from the customers. Some of the customers were approached the branch and asked RC book. Later it came to know that the petitioner had collected amounts and not paid in the customer's accounts, thereby, committed the offence of misappropriation. Hence, the complaint.



3. Heard. Perused the materials including the first information report.

4. It is seen that the petitioner is the sole accused in this case. He sold the motor cycle to various persons and arranged finance to them. He had also collected instalment amount from the customers, but failed to deposit the same to the defacto complainant. That apart, the petitioner has also fabricated 'No Objection Certificate', as if, entire amount arranged by the customer and also submitted application, as if, RC books have been misplaced and obtained new RC books and had not handed over to the purchasers/customers. Therefore, custodial interrogation of the petitioner is necessary for the investigation to proceed further, since he had committed a grave offence. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
05/06/2023

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/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. The Inspector of Police,
Kv Nallur Police Station,
Tenkasi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.9027 of 2023
Date : 05/06/2023

NA/CG/SAR- /14.06.2023/2P/3C