



CRL OP(MD). No.13027 of 2023

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

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13027 of 2023

Arokiasamy

... Petitioner / Accused No.4

Vs

The State rep by  
The Inspector of Police,  
Sendhamaram Police Station,  
Tenkasi District.  
(Crime No.70/2021).

... Respondent / Complainant

For Petitioner : M/s.Sasidharan Tamilkani.S.T, Advocate.  
For Respondent : Mr.B.Nambiselvan,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.70 of 2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 and 409 IPC in Crime No.134 of 2022 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the de-facto complainant was working as Regional Manager at Muthoot Finance Company, Tirunelveli. In the month of August 2021, after conducting audit in his company, the de-facto complainant found that A1 to A6 along with other accused persons enforced and when the customers mortgaged their jewels, the accused persons gave loan to them and made entries to the higher amount, than the actual jewel loan given to the customers and misappropriated the balance amount. Further, they have also stolen the mortgaged jewels i.e., 1.350 kgrms worth about Rs.54,00,000/- and thereby, caused loss and cheated the company. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this the second anticipatory bail petition, earlier anticipatory bail Petition filed by the petitioner in Crl.OP(MD)No.13723 of 2022 was dismissed by this Court on 29.09.2022. He further submitted that this anticipatory bail petition was filed mainly on the ground that most of the amount has already been settled to the public by the first accused and the first accused property is also attached through Court proceedings. He further submitted that the first accused is the responsible for the above said misappropriation and this petitioner was only employed as a employee, at the relevant point of time.

4. The learned Government Advocate(Crl.Side) appearing for the respondent



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police submitted that without any valid ground, the present petition has been filed by the petitioner.

5. A perusal of CD file shows that the petitioner along with the other accused misappropriated the company's amount and also stolen the mortgaged jewels, worth about of Rs.54,00,000/-. During the course of auditing only, the above said misappropriation was found by the management. As against the first accused departmental proceedings have already been initiated and his property was attached through the Court proceedings.

6. This Court does not find any reason to entertain this second anticipatory bail petition. Hence, this Criminal Original Petition is dismissed.

sd/-  
26/07/2023

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/08/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TTA

To

1.The Inspector of Police,  
Sendhamaram Police Station,  
Tenkasi District.

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

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



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+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate ( SR-11329[I] dated 27/07/2023 )

ORDER  
IN  
CRL OP(MD) No.13027 of 2023  
Date :26/07/2023

ED/ /SAR- (25/08/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023