



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2023

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17385 of 2022

Ramachandran,

... Petitioner/1st Accused

Vs

State Rep by
The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
Crime No. 83 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar T,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.83 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of iPC, in Crime No.83 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 Manager of the company called 'ST Roadways Corporation' and in that company, A1 - Ramachandran and another accused by name Subramanian are working as drivers. Without any prior intimation, they resigned the job one after another. During the course of employment, they were provided with diesel card for filling the diesel in the vehicle. At that time of dis-continuation of the service, they did not hand over the diesel card No.BPCL-FC-0006609811. On verification, it was found that by misusing the above said diesel card, diesel worth about Rs.2,46,500/- has been

<https://www.judhlgov.in/pdis>



above said occurrence, the case has been registered.

3.The petitioner's earlier application seeking anticipatory bail was dismissed considering the nature of offence and also considering the stage of investigation.

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4.Today, the learned Government Advocate (Crl. Side) would submit that so far the Car which is used for mis-appropriation of the amount has not been recovered, which is said to be in the custody of the petitioner. Even the second accused was arrested and remanded to custody, later he was released on bail after the statutory period is completed.

5.Considering the fact that the Card used for committing misappropriation has not been recovered so far, this Court is not inclined to grant anticipatory bail to the petitioner. Therefore, the petitioner is directed to surrender either before the respondent police or before the concerned Court and move for bail.

6.With the above directions, this criminal original petition is dismissed.

sd/-
02/01/2023

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/01/2023

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

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TO

1. The Inspector of Police,
Seevalaperi Police Station, Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.17385 of 2022
Date : 02/01/2023

TR/MMS/SAR-II(24.01.2023) 2P 3C