



CRL OP(MD). No.16215 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16215 of 2023

1. Murugan,
2. Sankar,
3. Jeyaram,
4. Pasupathi,

... Petitioners/ Accused No.2,3,5 & 6

Vs

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

... Respondent/ Complainant

For Petitioner : M/s.Vishnuvarthan.S,
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.70/2021 on the file of the respondent police.



CRL OP(MD). No.16215 of 2023

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ORDER: The Court made the following order :-

The petitioners/ Accused Nos.2, 3, 5 & 6, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 409 of IPC, in Crime No.70 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the defacto complainant is working as a Manager in Muthoot Finance Private Ltd and he submitted that when the accounting team of the company inspected the Branch and audited the accounts the found that the accused 1 to 6 have pledged the customers jewels in the name of their friends and relatives more than the amount required by the customers and they have not given proper receipt to the real customers. Therefore there is a shortage of 1350.4 gms of gold ornaments in the said Branch and the value of the said gold ornament is about Rs.39,29,100/- Further 725.5 gm of gold ornaments were missing from the sealed gold kept in the cover and the value of the said gold is Rs.54,00,000/- The first respondent had utilized the said misappropriation amount for the benefit of his wife, hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are



CRL OP(MD). No.16215 of 2023

innocent and a false case has been foisted against them.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that accused 1 to 6 have pledged the customers jewels in the name of their friends and relatives more than the amount required by the customers and they have not given proper receipt to the real customers. Therefore there is a shortage of 1350.4 gms of gold ornaments in the said branch and the value of the said gold ornament is about Rs.39,29,100/- Further 725.5 gm of gold ornaments were missing from the sealed gold kept in the cover and the value of the said gold is Rs.54,00,000/-, hence he objected to grant bail to the petitioners.

5. It is seen that there are totally seven accused in this case and the petitioners herein are arrayed as A2, A3, A5 and A6. All the accused had misappropriated a sum of Rs.1,22,85,000/-. The petitioners herein are working as staffs in various cadre.

6. Earlier application filed by the petitioner was dismissed by this Court considering the seriousness of the offence. The first accused was arrested and remanded to judicial custody, Rs.65 lakhs was recovered from him and the remaining amount has to be recovered. The petitioners herein are also hand in glove with the



CRL OP(MD). No.16215 of 2023

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other accused and misappropriated the amount. In view of the same, custodial interrogation of the petitioners is very much required this case. Though the earlier application was dismissed by this Court, the respondent police has not taken any steps to secure the accused and recover the amount.

7. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this criminal original petition stands dismissed.

sd/-
14/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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

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



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CRL OP(MD). No.16215 of 2023

ORDER
IN
CRL OP(MD) No.16215 of 2023
Date :14/09/2023

SSA/VRS/25.10.2023/5P/3C

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