



WEB COPY

CRL OP(MD). N



21

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.20034 of 2021

A.C.Murugan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.16/2020).

... Respondent/Complainant

For Petitioner : M/s.Deepak.F, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 468, 471, 420 and 120(B) of I.P.C., in Crime No.16 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was working as a Secretary in the Valandur Primary Agricultural Cooperative Credit Society, who said to have misappropriated a sum of Rs.96,00,000/-. Thereafter, a proceedings under Section 87 of the Co-operative Societies Act has been initiated and the property of the petitioner and other accused were attached. Thereafter, the petitioner and other accused said to have created a forged document as if the attachment has been raised and made further encumbrances. Hence, the crime was registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. The earlier petition was dismissed by

<https://www.mhco.jud.in/crds>



this Court on 01.09.2020. Hence, prays to enlarge on anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner had created a bogus order and also made number of encumbrances in the property to prevent the society from recovering the amount and avoid attachment. He would submit that this Court taking into consideration of the gravity of the offence and that the petitioner is the master mind in the transaction had dismissed the earlier petition and there is no change of circumstances. Thereby, he would seek for dismissal of the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.The petitioner had earlier approached this Court in Crl.OP (MD)No.8478 of 2020 and this Court taking into consideration that the petitioner is the main accused, had dismissed the petition on 01.09.2020. There is no change of circumstances. Further, the petitioner is the master mind in the alleged crime. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the Criminal Original Petition stands dismissed.

sd/-

21/02/2023

/ TRUE COPY /

/03/2023

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

PNM

TO

1. The Inspector of Police,
District Crime Branch,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC TO MR.F.DEEPAK, ADVOCATE (SR-9766[F])

ORDER

IN

CRL OP(MD) No.20034 of 2021

Date :21/02/2023

RS//SAR-2(09.03.2023) 2P 4C