



Crl.O.P.No.5256 of 2024

WEB COPY

Crl.O.P.No.5256 of 2024

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 406 and 420 of IPC in Cr.No.3 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/accused was employed in Aruna Bhaskar Agency Petrol Bunk at Thiruthuraipoondi, from October 2013 till 17.12.2016. The further allegation is that the petitioner, in that interregnum period, had manipulated the accounts and had misappropriated substantial sum of Rs.42,21,607/-. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the owner of the petrol bunk and his brother were handling the entire cash transactions to the said business and there would be some misuse of money between them. He further submits that he is



Crl.O.P.No.5256 of 2024

ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned counsel for the intervenor submits that during the year 2016, he gave an undertaking to repay the misappropriated amount of Rs.42 lakhs, but as on date, no one has complied with the undertaking. Subsequently, the anticipatory bail petition was also dismissed. Thereafter, no steps have been taken. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was no complaint on the side of the petitioner for the undertaking. He further submits that 161 Cr.P.C. sStatement was recorded against the complainant and other witnesses who were working in the defacto complainant's Petrol Bunk, but the accused is still absconding. He further submits that the written statement given by the petitioner before the respondent is that they cheated the amount of Rs.42,21,607, from the defacto



Crl.O.P.No.5256 of 2024

complainant's petrol bunk Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

6.Taking into consideration the facts and the submissions made by both counsel and also taking note of the fact that all, including the petitioner herein are beneficiaries and that it requires detailed investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

26.04.2024

drl



WEB COPY



Crl.O.P.No.5256 of 2024

T.V.THAMILSELVI, J.

drl

Crl.O.P.No.5256 of 2024

26.04.2024