



CRL OP(MD). No.8169 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.8169 of 2024

1. Murugan

2. Sankar

3. Jeyaram

4. Pasupathi

... Petitioners/ Accused Nos. 2,3,5 & 6

Vs

The Inspector of Police,
Sernthamaram Police Station,
Tenkasi.
Crime No.70 of 2021.

... Respondent/ Complainant

For Petitioners : Mr.S.Vishnuvardhan, Advocate

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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.

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



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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 innocent and a false case has been foisted against them. This is the third petition



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seeking anticipatory bail. For to recover the balance amount, a suit has been filed and attachment is also effected. Hence, prays to release them on anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that in this case, charge sheet has been filed before the concerned Court. There is no change in circumstances. Hence, prays to dismiss the petition.

5. On considering the nature of grave offence, this Court in its earlier order in CrI.O.P(MD) No.16215 of 2023, dated 14.09.2023 has made the following observation:

“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 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, though it is a third petition, I find no reason to enlarge



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the petitioners on anticipatory bail. Hence, this Criminal Original Petition is dismissed.

sd/-
07/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

- 1 THE INSPECTOR OF POLICE
SERNTHAMARAM POLICE STATION, TENKASI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8169 of 2024
Date :07/06/2024

PKP/GS/SAR /14.06.2024/ 4P/ 3C
Madurai Bench of Madras High Court is issuing certified
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