



CRL OP(MD)No.9361 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.9361 of 2024

M.Muneeswaran

... Petitioner/ Accused (Rank Not Known)

Vs

The Inspector of Police,
Vachakkarapatti Police Station,
Virudhunagar District.
(Cr.No.Not Known of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Ponsaravanan, Advocate
For Respondent : Mr.M.Sakthi Kumar,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.Not Known of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 IPC in Cr.No.Not Known of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused misappropriated a sum of Rs.2,41,217/- from the defacto complainant's account, without his knowledge.

3.This Court, on 26.06.2024, considering the submission made on behalf of the



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respondent Police that this petitioner misappropriated a sum of Rs.2,41,217/- and a case has been registered for the offence under Sections 406 and 420 IPC, has granted an interim anticipatory bail to the petitioner enabling him to appear before the respondent Police for cooperating with the investigation.

4.It is submitted by the learned Government Advocate(Crl.side) that the petitioner has not appeared regularly and cooperated. The same is disputed by the learned counsel appearing for the petitioner and he submits that the petitioner has appeared before the respondent Police and they have also extracted a sum of Rs.1,00,000/- from the petitioner.

5.The allegation as against the petitioner is that he is an agent for engaging employees to the Thermal Plant at Jharkhand and he has taken the salary from the accounts of the employees.

6.This case appears to be referred by the Superintendent of Police, Virudhunagar District on 25.05.2024. The respondent Police has not registered any criminal case so far. There is no justification for the respondent Police in not registering the case so far.

7.The learned Government Advocate (Crl.side) now claims that since this Court granted interim anticipatory bail, the respondent Police has not registered any case.

This Court is unable to accept the reasoning given by the learned Government



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Advocate(Crl.side). The complaint was forwarded by the Superintendent of Police on 25.05.2024 and this Court granted interim anticipatory bail, by an order dated 26.06.2024, only based on the representation that the petitioner has misappropriated a sum of Rs.2,41,217 and a case has been registered. It is not known as to how the Investigating Officer kept the matter pending, without registering the case, for more than four weeks. Since no case has been registered, there is no apprehension of arrest. Accordingly, this criminal original petition is dismissed.

sd/-
10/07/2024

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/07/2024

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

gns
TO

1 THE INSPECTOR OF POLICE, VACHAKKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.9361 of 2024
Date :10/07/2024

RS/VR/SAR-(23.07.2024) 3P 3C
Madurai Bench of Madras High Court is issuing
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