



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 288/2025

Madan Krushnaji Andraskar Vs. State of Maharashtra

AND

CRIMINAL APPLICATION (ABA) NO. 553/2025

Ramesh s/o. Mauliram Kanojiya Vs. State of Maharashtra

AND

CRIMINAL APPLICATION (ABA) NO. 500/2025

Dilip s/o. Janaba Temburde Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. A. Dhawas, Advocate for the Applicant in ABA No.288/2025.
Mr. S. V. Sirpurkar, Advocate for the Applicant in ABA No.500/2025.
Mr. N. R. Saboo, Advocate for the Applicant in ABA No.553/2025.
Mr. V. A. Thakare, A.P.P. for the Non-applicant/State.
Mr. M. R. Puranik, Advocate assist to prosecution.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 29/09/2025.

. Heard.

2. The applicants have apprehension of arrest in Crime No.247/2025 registered at Police Station Wani, District Yavatmal for the offences punishable under Sections 120-B, 406, 409, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code.

3. In Criminal Application (ABA) No.500/2025, the applicant is the President of Co-operative Society for employees of W.C.L., in Criminal Application (ABA) No.288/2025, the applicant is the Former Secretary of the said Society and in Criminal Application (ABA) No.553/2025, the applicant is present Secretary of the said Society. The crime is registered on the basis of the report submitted by the Auditor about misappropriation of more than Rs.1,51,36,573/-. The allegations are made that the applicant, who is President and Former Secretary during

their tenure the misappropriation was done, all these three applicants are responsible for said misappropriation of huge amount deposited by the employees.

4. The learned Counsel for the applicants has stated that in the year 2023, the complaint was lodged by the Secretary on behalf of the President to conduct the audit as they found misappropriation of some amount by forging their signatures, therefore, the written complaint was lodged against the Manager. Thereafter, the audit was conducted and on the basis of the audit report, the crime is registered against these applicants considering the tenure of these applicants during the period of misappropriation.

5. The learned Counsel for the applicants has stated that the applicants have informed about the misappropriation done by the Manager. The audit report is under challenge. The Administrator is appointed in this case, hence, there is no question of tampering of the evidence. The documents are already seized. One of the applicant in Criminal Application (ABA) No.553/2025, who is present secretary is already protected by granting ad-interim protection, hence, prayed to protect all the applicants by granting anticipatory bail. The applicants are ready to abide all the conditions.

6. The learned Counsel for the complainant has filed on record the papers which show that the misappropriation is committed since 2018 and during that period, the accused No.1 was the President and Accused No.2 and 4 were Secretary to the said Society. The employees, who have deposited their hard-earned money siphoned off systematically. The audit report shows that

the applicants have committed said offence, their custodial interrogation is necessary. Hence, prayed to reject the application.

7. The learned A.P.P. opposed the application stating that the statements of the witnesses shows that the misappropriation was done. The huge amount is siphoned by these applicants. The offence under Section 120-B of the Indian Penal Code is also registered against these applicants. There is a conspiracy to commit said offence, hence, prayed to reject the application.

8. Heard all the learned Counsel for the respective parties.

9. On perusal of the record it appears that earlier in 2023, the President and the present Secretary found that there is some misappropriation. They found that their signatures were forged, then the complaint was lodged. During the pendency of their complaint, the audit report was filed. The audit was conducted as per the directions of the present President and Secretary, the auditor's report is under challenge. As the Administrator is appointed and considering the earlier complaint lodged by the present Secretary and the President, the custodial interrogation of these applicants is not necessary. Accordingly, I pass the following order :

i] The ad-interim protection granted to the applicant in Criminal Application (ABA) No.553/2025 is confirmed on the following conditions.

ii] It is directed that in the event of arrest of the applicants in Criminal Application (ABA) No.288/2025 namely Madan Krushnaji Andraskar and in Criminal Application (ABA) No.500/2025 namely Dilip Janaba Temburde in connection with Crime No.247/2025 registered at Police Station Wani, District Yavatmal for the offences punishable under Sections 120-B, 406, 409, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code, shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand each with one solvent surety each in the like amount.

iii] The applicants shall not in any way tamper with the prosecution evidence.

iv] The applicants shall not pressurize or threaten the prosecution witnesses.

v] The applicants shall attend the concerned Police Station twice in a week i.e. on Tuesday and Wednesday between 1.00 p.m. to 2.00 p.m. and shall co-operate with the Investigating Agency.

vi] The applicants shall stay away from the concerned Society.

(MRS. VRUSHALI V. JOSHI, J.)