



CRL OP(MD)No.15778 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31.08.2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD)No.15778 of 2023

Senthil @ Senthil Kumar

... Petitioner / Sole Accused

Vs

The State rep by
The Inspector of Police,
Thottiyam Police Station,
Thiruchirappalli
(Ref.Crime No.239 of 2023)

... Respondent / Complainant

For Petitioner : Mr.D.Shanmugaraja Sethupathi, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

For Intervenor : Mr.A.Joel Paul Antony, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.239 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 406, 420, 506(1) IPC in Crime No.239 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is having a jewelry pawn shop and the petitioner herein has been working there for the past 15 years. Due to the illness of the defacto complainant, he was unable to visit the shop and he entrusted the petitioner to look after the accounts of the shop. When the defacto complainant checked the accounts of the shop, he found that there was misappropriation of money and jewels, which were pawned by the customers were missing. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prayed for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner was working as Accountant in the defacto complainant's pawn shop for more than 15 years. Due to illness of the defacto complainant, he entrusted the petitioner to look after the accounts of the shop. Taking advantage of the same, the petitioner misappropriated more than Rs.1 Crore and the amount is yet to be received. Therefore, he strongly objected to grant anticipatory bail to the petitioner.

5.Mr.A.Joel Paul Antony, learned counsel represented that he is going to file



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intervening petition and sought for adjournment. However, today this Court heard the petitioner and the respondent and hence, the request made by the learned counsel is rejected.

6.Heard both side and perused the materials available on record.

7.Considering the rival submissions on either side and considering the fact that huge amount involved in this case and also considering the gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
31/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Inspector of Police,
Thottiyam Police Station,
Thiruchirappalli.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-13015[I] dated
31/08/2023)



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ORDER

IN

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Date :31/08/2023

ED/VRS/SAR- (08/09/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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