

Party Name : CHIKAN MALA TRIPURA Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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This is an application for grant of anticipatory bail filed by the applicant, Smt. Chikan Mala Tripura who is charged with having committed offence for embezzlement of funds.

The applicant is admittedly the Chairman of the Dhananjoynagar ADC Village Panchayat Committee. It is not disputed that she is required to sign the cheques. The case set up by the applicant is that she is only studied up to Class-IV and that she does not know English and she had been relying upon the Panchayat Secretary and had signed the cheques at his asking.

The second ground raised is the husband of the applicant was hospitalized though now he has been discharged.

I am afraid anticipatory bail cannot be granted on any of the two grounds. The applicant being the Chairman of the village is alleged to have the defalcated funds. If the applicant is competent enough to fight elections and become Chairman of the village she is also competent enough to face criminal proceedings. This Court is not commenting on the merits of the case but this is definitely a case where some custodial investigation is required.

Therefore, the application for grant of anticipatory bail is rejected.