



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Ninth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10153 of 2015

N.ARIVALAGAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM, RAMANATHAPURAM DIST.
CRIME NO. 26 OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.R.KANNAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 409 I.P.C. in Crime No.26 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

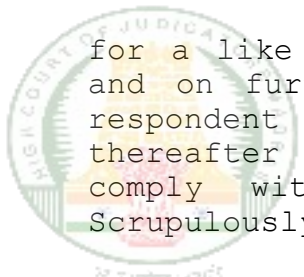
2. The case of the prosecution is that the defacto complainant had handed over a sum of Rs.40,000/- to one Sakthivel to deposit in their Savings Bank Account. Though the accused had made an entry in the passbook, the amount was not credited to their account and the amount was misappropriated by the accused.

3. The learned Counsel for the petitioner submitted that there are two clerks exclusively earmarked for receiving the Savings Bank Account deposit and the petitioner had no role in the transaction. It is further submitted that the petitioner is involved in union activities and therefore, a false case has been implicated against the petitioner.

4. The learned Counsel for the petitioner further submitted that the petitioner is ready to deposit the alleged misappropriated amount of Rs.40,000/- to the credit of Cr.No.26 of 2015 without prejudice to his right.

5. The learned Government Advocate(Crl.Side) submitted that the petitioner had misappropriated a sum of Rs.40,000/- of the defacto complainant and he is also placed under suspension after registration of this case.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, on condition that the petitioner shall deposit a sum of Rs.40,000/-(Rupees Forty Thousand only) to the credit of Crime No.26 of 2015 before the learned Judicial Magistrate No.II, Ramanathapuram within a period of two weeks and on receipt of the same the petitioner is entitled to be released on bail. In the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Ramanathapuram and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each



for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

09/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANTHAPURAM.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, RAMANTHAPURAM.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, RAMANATHAPURAM,
RAMANATHAPURAM DIST.

+1. CC to M/S.R.R.KANNAN Advocate SR.No.28945

ORDER IN

CRL OP(MD) No.10153 of 2015

Date :09/06/2015

PBK/AMF 11/06/2015 ::2P-6C::