



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

Wednesday, the First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11259 of 2015

1 VELUSAMY,

2 GUNASEKARAN

3 N. SUBRAMANI

... PETITIONER(S) / ACCUSED 1 to 3

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE,
KARUR DISTRICT CRIME BRANCH, KARUR DISTRICT,
IN CRIME No. 126 OF 2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.SHANMUGASELVAM Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

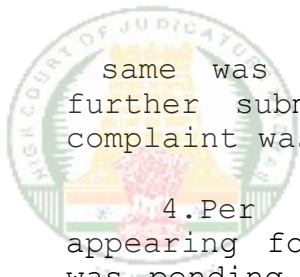
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed A1 to A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 405, 406, 464(i) of IPC, in Crime No.126 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused are President, Secretary and Treasurer of Jubilee Literary Association at Karur and they did not properly maintained the accounts for the period between 2009 and 2012 and they did not follow the by-laws of the Association and also did not conduct the election as per by-laws.

3.The learned counsel for the petitioners submitted that every year, auditing was conducted and the petitioners have properly submitted the accounts to the General Body. It is further submitted that the petitioners were directed to appear before the respondent police as per summons on 20.02.2015 and accordingly, the petitioners appeared before the respondent police and also gave statement on 20.02.2015. The learned counsel further submitted that when the enquiry was pending before the respondent police, the present office-bearers of the Club filed a criminal original petition before this court seeking direction to the Karur Town Police Station to register a case and on the basis of the direction, a case was registered by the Karur Town Police Station and thereafter, the



same was transferred to the respondent police. The learned counsel further submitted that this is the second complaint and the earlier complaint was already enquired and subsequently closed.

4.Per contra, the learned Government Advocate (Criminal side) appearing for the respondent submitted that while the earlier complaint was pending, a case was registered by the Karur Town Police station and subsequently, it was transferred to the respondent police. It is further submitted that the petitioners did not maintain the accounts of the Club and misappropriated to the tune of one crore and the de-facto complainant has not produced proper records before the respondent police..

5.Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Karur and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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/-
01/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, KARUR.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KARUR.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE,
KARUR DISTRICT CRIME BRANCH, KARUR DISTRICT.
- +1. CC to M/S.N.SHANMUGASELVAM Advocate SR.No. 35587

TS/07.07.2015/2P -6C

ORDER
IN
CRL OP(MD) No.11259 of 2015
Date :01/07/2015