



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Thursday, the Ninth day of July Two Thousand Fifteen

PRESENT
The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.12781 of 2015

P.MOSES CHELLADURAI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP BY:: THE INSPECTOR OF POLICE,
CCIW, NAGERCOIL, KANYAKUMARI DISTRICT.
(CRIME NO.1 OF 2000)

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.M.MAHARAJA Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police, in pursuance of the Non-Bailable warrant issued on 05.02.2001 by the learned Judicial Magistrate No.II, Tirunelveli in connection with the case in C.C.No.1 of 2001 for the alleged offences under Sections 408 and 477(A) of I.P.C., in Crime No.1 of 2000 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused had misappropriated a sum of Rs.2,45,585/-, while he was working as salesman in H-25 Veeralamangalam Weavers Co-operative Society, Sales Department, Kulasekaram, Kanyakumari District.

3. The learned counsel for the petitioner submitted that based on the complaint of the Deputy Registrar of Co-operative Societies, the respondent has registered a case in Crime No.1 of 2000 and however, at the time of filing charge sheet, they filed two cases which was taken on file as C.C.Nos.1 and 2 of 2001 and the learned Magistrate issued non-bailable warrant in both the cases. The petitioner has deposited the entire alleged misappropriation of Rs.2,45,585/- and he was granted anticipatory bail in C.C.No.2 of 2001 by this Court in Crl.O.P.(MD).No.11244



4. The learned Government Advocate (Crl.side) submitted that trial in these cases were already commenced and out of 94 witnesses, prosecution has so far examined 48 witnesses.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.II, Tirunelveli 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 trial Court for all future hearing dates without fail. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

09/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II,
TIRUNELVELI

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

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

4 THE INSPECTOR OF POLICE,
CCIW, NAGERCOIL, KANYAKUMARI DISTRICT.

1. CC to M/S.M.MAHARAJA Advocate SR.No.37795

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ORDER

IN

CRL OP (MD) No.12781 of 2015

Date :09/07/2015