



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15939 of 2015

A. BANUMATHI

... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO. 178 / 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate
For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

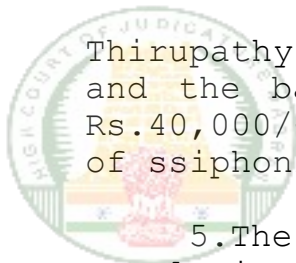
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 409 and 420 of IPC, in Crime No.178 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the defacto complainant, the first accused is the President of Self Help Group and she borrowed Rs.6,00,000/- from ICICI Bank for the benefit of the members. However, she disbursed only Rs.1,50,000/- to 18 members and the remaining 4,50,000/- was swindled by her.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case and the defacto complainant is not at all member of the Self Help Group and he has no *locus standi* to file a complaint against the petitioner. He further submitted that the defacto complainant is running a Orphanage near the office of the petitioner and due to some misunderstanding a false complaint was lodged by him.

4. It is further submitted that a resolution was passed by the members on 02.04.2014 to borrow Rs.6,00,000/- from the ICICI Bank and it has been resolved that the members namely Saratha and



Thirupathy shall receive Rs.15,000/- and Rs.25,000/- respectively and the balance amount shall be given to the other members each Rs.40,000/- directly from the Bank. Therefore, there is no question of ssiphoning the amount of Self Help Group.

5.The learned Government Advocate (Crl.side) submitted that a resolution was passed by the members on 02.04.2014 to borrow Rs.6,00,000/- from the ICICI Bank, but this petitioner has misappropriated a sum of Rs.4,50,000/-. The co-accused Nos.2 and 3 were granted bail by the Sessions Court.

6.Considering the overt act attributed against the petitioner, 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 arrest or on his appearance before the learned Judicial Magistrate, Thiruvaiyaru and on 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., until further orders. 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/-

18/08/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, THIRUVAIYARU
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT.

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.47536
RL/6 C- 24/8/2015

ORDER

IN

CRL OP(MD) No.15939 of 2015

Date :18/08/2015