



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

Thursday, the Eighth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) Nos.16806, 16053, 16037 and 17202 of 2015

VASANTHA

..Petitioner/Accused Rank Not Known
in CRL OP(MD)No.16806 of 2015

1.MURUGESAN

2.V.NATARAJAN

3.K.ARUMUGAM

..Petitioners/Accused Rank Not Known
in CRL OP(MD)No.16053 of 2015

1.SENTHIL KUMAR

2.V.BASKAR

3.G.RAVICHANDRAN

..Petitioners/Accused Rank Not Known
in CRL OP(MD)No.16037 of 2015

1.BANUPRIYA

2.HARIHARAN

3.ANGAMMAL

..Petitioners/Accused Rank Not Known
in CRL OP(MD)No.17202 of 2015

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

DISTRICT CRIME BRANCH,

DINDIGUL,

DINDIGUL DISTRICT

(CRIME NO NOT KNOWN /2015

... RESPONDENT/COMPLAINANT
in All the Petitions

For Petitioners

in CRL OP(MD)No.16806 of 2015 : M/S S.LAKSHMANAN Advocate

For Petitioners

in CRL OP(MD)No.16053 of 2015 : MR.K.GOKUL, Advocate

For Petitioners

in CRL OP(MD)No.16037 of 2015 : MR.KATHIRVELU SENIOR COUNSEL
FOR MR.T.LENIN KUMAR, Advocate

For Petitioners

in CRL OP(MD)No.17202 of 2015 : MR.S.LAKSHMANAN, Advocate

For Respondents

in All the Petitions : 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 as accused, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 406, 420, 465, 468, 471, 477(A) and 120(b) IPC in Crime No.51 of 2015 on the file of the respondent Police and hence, seek anticipatory bail.

2. According to the de facto complainant, the Municipal Commissioner, Palani Municipality has allotted work for the value of Rs.24,65,005/- in the year 2009 and without carrying out the said work, the accused have misappropriated the amount of the Municipality.

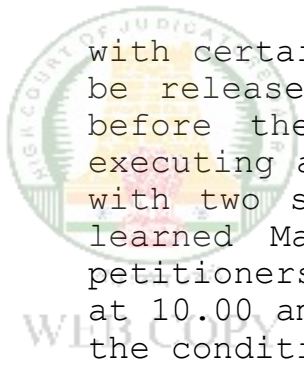
3. Mr. Kathirvelu, learned Senior Counsel appearing for the petitioners submitted that accused Nos.1 to 4 are working as Junior Engineer, Manager and Accountant in Palani Municipality and the works were allotted to the accused Nos.5 and 6 in the year 2009 and by a subsequent work orders, the Municipal Commissioner has changed the earlier work and the construction work was completed as per the subsequent work orders. It is further submitted that the Audit report for the year 2014 - 2015 would reveal that the contractors viz., A5 and A6 have carried out the changed work as per the order of the Commissioner and therefore, there is no misappropriation in this case.

4. The learned Senior Counsel further submitted that the 7th accused is the husband of the 4th accused and after registering the case he died and the accused Nos.8 to 10, who are relatives of A4, are nothing to do with the allegations made in the complaint.

5. The learned Senior Counsel has also filed a typed sets of papers containing the Audit Report dated 29.05.2015 and the work orders allotted to the accused Nos.5 and 6 dated nil.06.2014, 14.05.2014 and 16.04.2014, which would reveal that the Municipality has changed the original work and issued fresh work orders. It is further submitted that accused Nos.1 to 4 have been placed under suspension after registering the present case and hence, there is no chance of tampering evidence nor interfering with the investigation.

6. The learned Government Advocate (Crl.side) appearing for the respondent Police vehemently opposed the anticipatory bail petition, contending that the public money was swindled by the accused in conspired with accused Nos.1 to 3.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners,



with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Dindigul, 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 petitioners shall appear before the Palani Town Police Station daily at 10.00 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-

08/10/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 2.THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 3.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DINDIGUL, DINDIGUL DISTRICT.
- 4.THE OFFICER IN CHARGE,
PALANI TOWN POLICE STATION, PALANI
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+2cc to Mr.S.LAKSHMANAN, Advocate Sr.No. 59595, 59596

+2cc to Mr.T.LENIN KUMAR, Advocate Sr.No. 59737

ORDER

IN

CRL OP (MD) Nos.16806, 16053,
16037 and 17202 of 2015

Date :08/10/2015

AA/GSV-PM/SAR-II/14.10.2015/3p-10c