



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.17714 of 2015

G.SUBRAMANIA PRASAD

... PETITIONER /1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT.
CR.NO. 24 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.SHANMUGARAJA SETHUPATHI Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

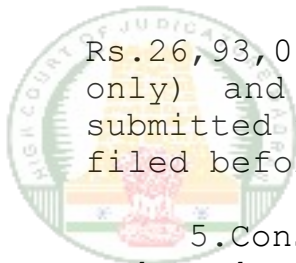
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1 , in Crime No.24 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 409, 417, 420, 465, 468, 467(a) I.P.C. and hence, seeks anticipatory bail.

2. The case of the prosecution is that while the petitioner was working as Special Tahsildar (Social Security Scheme), Palani from 24.05.2012 to 09.04.2013, he committed financial irregularities and caused loss to the exchequer and thereby committed the offences under Sections 409, 417, 420, 465, 468, 467(a) I.P.C.

3. The case of the petitioner is that the petitioner is innocent and he has not committed any offence as alleged in the F.I.R. He was suspended from service from 26.11.2013 alleging that some irregularities were found in the period from 24.05.2012 to 09.04.2013 and the charge memo was issued on 05.05.2014 and the disciplinary proceedings were also initiated and the domestic enquiry is also pending. For the same set of facts, the respondent has registered the First Information Report. Considering the petitioner's explanation, the petitioner was reinstated in service and he is at present working as Tahsildar in Kodaikanal.

4. The learned Government Advocate (Crl.Side) filed counter affidavit stating that when the petitioner was in-charge of Social Security Scheme, he misappropriated the funds to the tune of



Rs.26,93,000/- (Rupees Twenty Six Lakhs and Ninety Three Thousand only) and caused loss to the Government exchequer. He further submitted that now the investigation is over and the charge sheet is filed before the concerned Court.

5. Considering the fact that the petitioner has been suspended and subsequently reinstated in service and the disciplinary proceedings initiated against the petitioner is pending and the investigation is over and the charge sheet has been filed, 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 No.I, Dindigul 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 Court concerned 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/-
08/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
DINDIGUL.
- 2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, DINDIGUL DISTRICT.

+1. CC to M/S D.SHANMUGARAJA SETHUPATHI Advocate SR.No.70094
ORDER
IN
CRL OP(MD) No.17714 of 2015
Date :08/12/2015

RG.JGB-DP/SAR-II 09.12.2015 2P.6C