



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

Wednesday, the Twenty Eighth day of October Two Thousand Fifteen

PRESENT

**THE HON`BLE MR JUSTICE K.KALYANASUNDARAM**

CRL OP(MD) No.20605 of 2015

1 K. BALAKRISHNAN

2 S. MALARMANGAI

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE  
VIGILANCE & ANTI CORRUPTION WING,  
PUDUKOTTAI, PUDUKOTTAI DISTRICT.  
(CRIME NO. 02 OF 2012)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MUTHUKUMAR 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 petitioners, who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 409 and 420 of I.P.C., and Section 13(2), r/w 13(1)(c) of the Prevention of Corruption Act, 1998, in Crime No.02 of 2012 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the prosecution, while the accused were working as a Municipal Commissioner and Social Organizer at Pudukottai Municipality and they have misappropriated the amount to the tune of Rs.2,64,000/-, which was allotted for the Swarna Jeyanthi Sagari Rojkar Yojana.

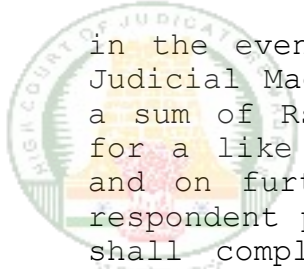
3.The learned counsel for the petitioners submitted that the entire amount allotted by the Government of India was disbursed through Alahabad Bank by the petitioners and the report of the Assistant Project Officer would reveal that the petitioners had no role in disbursing the amount and it is further contended that the the beneficiaries have already deposited the entire amount through cheque dated 14.07.2012.

4.The learned Government Advocate (Crl.side)opposed the bail petition contending that the accused, who are working as a public servant have swindled huge amount allotted by the Government of India and it is further contended that the respondent has completed the investigation and now, they are waiting to file a charge sheet in this case.

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

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6. Accordingly, the petitioners are ordered to be released on bail



in the event of arrest or on their appearance before the learned Chief Judicial Magistrate, Pudukottai 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 as and when required for interrogation. 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/-  
28/10/2015

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

TO

1. THE INSPECTOR OF POLICE VIGILANCE & ANTI CORRUPTION WING,  
PUDUKOTTAI, PUDUKOTTAI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE CHIEF JUDICIAL MAGISTRATE PUDUKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1CC to Mr.S.Muthukumar, Advocate, SR.No. 62926

ORDER  
IN  
CRL OP(MD) No.20605 of 2015  
Date :28/10/2015

GJM/SK/SARII-3.11.2015-2P-6C