



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

Tuesday, the Third day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.20768 of 2015

P. PANDIYAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PERIYAKULAM POLICE STATION,
THENI DISTRICT.
(CRIME NO. 311/2013)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.RAJESHWARAN Advocate

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

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

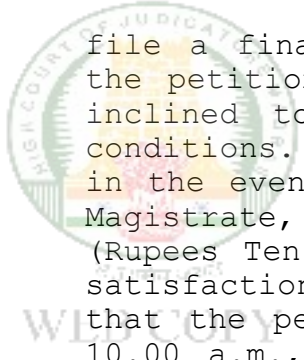
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 471 and 420 of IPC, in Crime No.311 of 2013 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was an Accountant in the Temple Arulmigu Malamelvaithiyanathar Temple, Periyakulam, Theni District. He sold some of the temple land without any permission or authorisation from the Temple authorities.

3.The learned counsel for the petitioner submitted that the petitioner has filed a petition in Crl.O.P.(MD)No.21854 of 2013 and this Court dismissed the petition on 05.12.2013. Again, he filed a petition in Crl.O.P(MD)No.562 of 2014 and the same was also dismissed by this Court on 10.03.2014. After the dismissal of the both petitions, the Department has initiated Disciplinary Proceedings dated 19.11.2014 in A.P.04/2014 and M.P.38/2014 and 39/2014 dropped all the charges and the suspension was revoked and reinstated the petitioner in service as an Accountant. He further submitted that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner forged the signature of the former Trustee and created a documents and sold the property of the Temple. He further submitted that the investigation is pending.

<https://hcservices.courts.gov.in/hcservices> 5.The learned counsel for the respondent submitted the facts and circumstances of the case and also considering the fact that the case is pending from the year 2013 and till date the respondent has not completed the investigation and he has not



file a final report and the disciplinary proceedings initiated against the petitioner was dropped and reinstated 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, Periyakulam 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.

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/-
03/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE, PERIYAKULAM POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S N.SATHEESH KUMAR Advocate SR.No. 64805

ORDER
IN
CRL OP(MD) No.20768 of 2015
Date :03/11/2015

CSL/SK-SKN/SAR-I/05.11.2015
2P/6C