



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

Friday, the Thirtieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20772 of 2015

C. SHENBAGAMOORTHY ... PETITIONER / ACCUSED NO.11

Vs

State represented by
THE SPECIAL SUB INSPECTOR OF POLICE
COMMERCIAL CRIME INVESTIGATION WING,
(CCIW)TIRUNELVELI DISTRICT.
(CRIME NO. 2/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S POLAX LEGAL SOLUTIONS Advocate

For Respondent : Mrs.S.PRabha Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

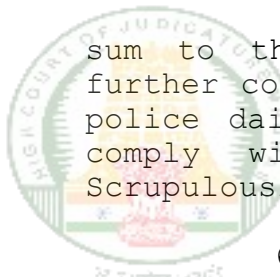
The petitioner, who arrayed as A1 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 408, 468, 477(a), 109 r/w Section 234 IPC in Crime No.2/2015 and hence, seek anticipatory bail.

2.According to the defacto complainant, the Deputy Registrar of Cooperative Societies, the accused without maintaining proper accounts , misappropriated a sum of Rs.6,44,000/- from the A 314/2690, Tirunelveli District Central Co-operative Bank, Pettai Branch.

3.The learned counsel for the Petitioner submitted that the Petitioner is an Auditor and even as per the report in an enquiry conducted under Section 81 of the Cooperative Societies Act, the accused 1 to 9 have misappropriated funds and he was implicated in this case on the only allegation that he did not properly maintain the account. It is further contended that the prime accused A1 was arrested and released on bail. Accused No.2,4 and 6 were granted the relief of anticipatory bail by the Sessions Court, Tirunelveli.

4.Per contra, the learned Government Advocate(Crl.Side) submitted that the accused, who are employees of the Cooperative societies have misappropriated huge sum of Rs.6,44,000/- and after initiating surcharge proceedings, the accused have remitted the entire amount along with interest.

5. Considering the facts and circumstances of the case as stated above, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like



sum to the satisfaction to the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 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/-

30/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, TIRUNELVELI

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT

3 THE SUB INSPECTOR OF POLICE
COMMERCIAL CRIME INVESTIGATION WING, (CCIW)
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S POLAX LEGAL SOLUTIONS Advocate SR.No.64005

Sm:JGP-DP:SAR I:02.11.2015:2P/6C

ORDER

IN

CRL OP(MD) No.20772 of 2015

Date :30/10/2015