



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21677 of 2015

G. NAGENDRAN

... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
CCIW POLICE STATION,
NAGERCOVIL DISTRICT.
(CRIME NO. 2 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.E.ILANGO Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

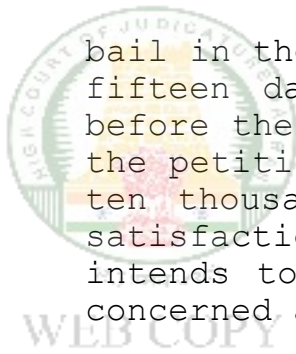
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 201, 406 r/w 120B IPC in Crime No.2 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner has submitted that based on the confession statement of the co-accused, this petitioner has been falsely implicated in this case. He has further submitted that the petitioner has not played any role in misappropriation of the funds of the Palliadi Primary Agricultural Co-operative Society. However, the counsel for the petitioner has also submitted that the petitioner, without prejudice to his rights, is willing and ready to deposit a sum of Rs.50,000/- before the Court concerned.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

4. It is seen that on the basis of the complaint with regard to misappropriation of the funds of the Society, a case has been registered against the Secretary of the said Society and during enquiry, he has deposed the involvement of the petitioner and other accused in the alleged misappropriation. However, the petitioner, in order to show his bonafide intention, has consented on his own to deposit Rs.50,000/- before the Court concerned. Under such circumstances, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on



bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Kuzhithurai, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.2 of 2015 before the Judicial Magistrate No.II, Kuzhuthurai within a period of one week from today. On such deposit, the Magistrate shall keep the amount in a Nationalized Bank under Fixed Deposit scheme initially for a period of one year and renewable thereafter;

[b] the petitioner shall report before the respondent police daily at 10:00a.m. before the respondent police for a period of one week and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
18/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGARCOIL.
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE
CCIW POLICE STATION, NAGERCOVIL DISTRICT.
- +1. CC to M/S M.E.ILANGO Advocate SR.No.66306

ORDER
IN
CRL OP(MD) No.21677 of 2015
Date : 18/11/2015