



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22104 of 2015

P. PUGALENTHI

Vs

... PETITIONER/ACCUSED(RANK NOT KNOWN)

1. STATE REP.BY
THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION,
TRICHY CITY.

.... RESPONDENT / COMPLAINANT

2. THE POST MASTER
THENNUR POST OFFICE,
TRICHY - 17.

.... 2ND RESPONDENT / DEFACTO
COMPLAINANT

For Petitioner : M/S T.LENIN KUMAR 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 :-

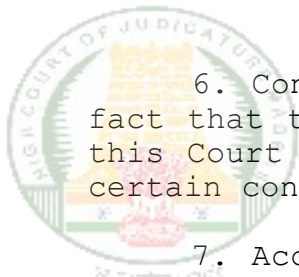
The petitioner, who is arrayed as Accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 409 and 420 of IPC, in Crime No.not known of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner while working as Postmaster of Thennur Post Office, in the month of August, 2008, misappropriated a Money Order amount of Rs.2,000/-, which is payable to one Selvaraj. An enquiry was conducted and during enquiry, the petitioner submitted his explanation. Not being satisfied with the explanation, he was dismissed from service on 13.05.2015 and a complaint has been lodged against him in Crime No.747 of 2015, for the offence punishable under Section 408 of IPC.

3. The case of the petitioner is that on 01.08.2008 when he tried to pay the Money Order amount to one Selvaraj, he orally informed the petitioner that he is not in station and the same may be paid to his neighbour Senthilnathan. The said Senthilnathan did not pay the amount to the de-facto complainant.

4. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

5. The learned Government Advocate (Criminal side) appearing for the
<https://hcrs.ccrniles.gov.in/submit/> submitted that based on the complaint given by the de-facto complainant, a case has been registered against the petitioner, in Crime No.747/2015, for the offence punishable under Section 408 of IPC.



6. Considering the facts and circumstances of the case and also the fact that the petitioner was already removed from service on 13.05.2015, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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.IV, Trichy, 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 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.

8. 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/-
25/11/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
TRICHY.
 2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 3. THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION,
TRICHY CITY.
 4. THE POST MASTER
THENNUR POST OFFICE,
TRICHY - 17.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S T.LENIN KUMAR Advocate SR.No.67593

ORDER
IN
CRL OP(MD) No.22104 of 2015
Date :25/11/2015

SH/NGM-SS/SAR-I:27.11.2015:2P/7C