



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

Thursday, the Seventeenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) Nos.22489 & 22490 of 2015

1 MANIVANNAN

2 RAMANATHAN

... PETITIONERS/ ACCUSED Nos.5 & 6
IN CRL OP(MD) No.22489 of 2015

RAMAN

... PETITIONERS/ ACCUSED No.2
IN CRL OP(MD) No.22489 of 2015

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION, PERAIYUR,
MADURAI DISTRICT
CR.No. 173 of 2015

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S N.MARIAPPAN Advocate IN BOTH PETITIONS

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)
IN BOTH PETITIONS

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

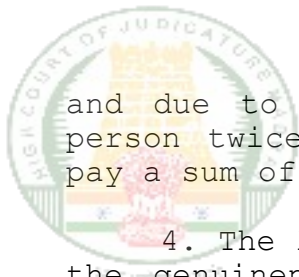
COMMON ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406,408,477(A) and 420 of IPC in Crime No.173 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the second petitioner in Crl.O.P(MD).No.22489 of 2015, who is working as Village Administrative Officer, without verifying the beneficiaries list, issued Beneficiary Certificates to one person twice and thereby, mis-appropriated the drought relief fund and the first petitioner has sponsored the fund to beneficiaries. The other petitioner in Crl.O.P(MD).No.22490 of 2015 is working as Secretary in MD.P.Pudhur Primary Agriculture Co-operative Society. All the petitioners joined together and misappropriated the drought relief funds and caused a loss of Rs.97,900/-

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3. The learned counsel appearing for the petitioners submitted that, the second petitioner in Crl.O.P.(MD).No.22489 of 2015, who is working as a Village Administrative Officer is in charge of four revenue villages



and due to pressure of work, he issued beneficiary certificate to one person twice. It is further contended that the petitioners are ready to pay a sum of Rs.16,000/- each to the Society to show their bonafide.

4. The learned Government (Crl. Side) submitted that without verifying the genuineness of the persons they joined together and issued bogus certificate and caused loss to the tune of Rs.97,900/- to the Society and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the alleged loss caused by the petitioners is borne out by records and the petitioners are also ready to pay a sum of Rs.16,000/- each, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Peraiyur, 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 the petitioners in both the Criminal Original Petitions shall deposit a sum of Rs.16,000/- (Rupees Sixteen Thousand only) each to the credit of above said Crime number, 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.

6. 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/-
17/12/2015

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

TO

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

+1. CC to M/S N.MARIAPPAN Advocate SR.No.72585.

TS/18.12.2015/2P-6C/SK-SKN/SAR - I

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ORDER
IN
CRL OP(MD) Nos.22489 & 22490 of 2015
Date :17/12/2015