



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

Tuesday, the First day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22684 of 2015

A.ALAGU

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
COOPERATIVE CRIME INVESTIGATION WING,
ALAGAR NAGAR, K.PUDUR, MADURAI.
CRIME NO.4 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S S.TITUS Advocate

For Respondent : Mr.K.ANBARASAN, Government 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 No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983, in Crime No.4 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the Secretary of the A.2995, Arumbanoor Primary Co-operative Credit Society, Arumbanoor Post, Madurai District and this petitioner along with one Ponniah, who is working as Cashier in the Society, misappropriated a sum of Rs.18,17,820/-. Therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent person and he has not committed any offence as alleged by the prosecution and one Ponniah, Cashier has misappropriated a sum of Rs.18,17,820/- and due to the petitioner's effort, a sum of Rs.18,17,820/- has been recovered from S.Ponniah, Cashier and credited to the account of the Society and there is no monetary loss to the Society.

4.The learned Government Advocate (Crl.side) submitted that as per Section 81 of Tamil Nadu Co-operative Societies Act enquiry was conducted and it was found that the petitioner along with one S.Ponniah misappropriated a sum of Rs.18,17,820/- and the amount is yet to be recovered.

5.The learned counsel for the petitioner submitted that the entire amount has been recovered from one S.Ponniah, Cashier and the same was credited to the account of the Society.

6.From the materials, it is seen that the entire amount has been recovered only due to his effort and Al was already arrested and released on bail by the Sessions Court.



7. Considering the above facts and circumstances of the case and also considering the fact that only due to the effort of the petitioner, the entire amount has been recovered from one Ponniah, 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, Melur 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 petitioners 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/-

01/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, COOPERATIVE CRIME INVESTIGATION WING,
ALAGAR NAGAR, K. PUDUR, MADURAI.

+1. CC to M/S S. TITUS Advocate SR.No.68593

ORDER IN

CRL OP(MD) No.22684 of 2015

Date : 01/12/2015

PBK/NGM-SS/SAR-I 03/12/2015 ::2P-6C::