



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

Thursday, the Twenty Sixth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2753 of 2015

WEB COPY

R. LATHA

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
CCIW, CID POLICE STATION,
TRICHY DT, CRIME NO.1/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T. SENTHILKUMAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

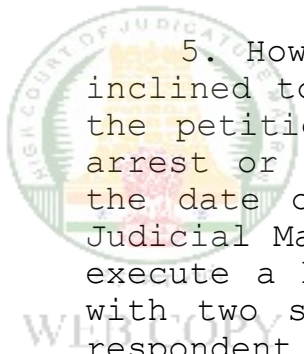
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 403, 406, 408, 409, 420, 468, 471, 477(A), 120(B) r/w 34 IPC in Crime No.1 of 2015 on the file of the respondent police, seeks anticipatory bail.

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

3. The case of the prosecution is that the petitioner herein was the Secretary of Punjaisangenthi Primary Agricultural Co-operative Society since 2007. During enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act by the Deputy Registrar, Co-operative Societies, it came to light that this petitioner in collusion with one Senthilkumar, Village Administrative Officer, had disbursed the Drought Relief Fund to 18 village farmers, who were not entitled to such relief and thereby caused a loss of Rs.3,32,430/-.

4. Today, during the course of argument, it is brought to the notice of this Court that the Deputy Registrar has addressed a letter dated 25.02.2015 to the respondent police, wherein he has stated that a sum of Rs.3,32,430/- has been recovered with interest from the members of the society and therefore, there is no monetary loss now. That cannot absolve the petitioner from criminal liability.



5. However, since the amount has been recovered, this Court is 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Lalgudi, 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 report before the respondent police daily at 05:30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall give her specimen signature, hand writing, thumb impression and other details as required by Police

[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/-

26/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, LALGUDI

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TRICHY DISTRICT

3 THE INSPECTOR OF POLICE CCIW, CID POLICE STATION, TRICHY DT,

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

+1. CC to M/S.T. SENTHILKUMAR Advocate SR.No.9114

ORDER

IN

CRL OP(MD) No.2753 of 2015

Date :26/02/2015

NA/02/03/2015/P2/6C

<https://hcservices.ecourts.gov.in/hcservices/>