



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

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.5397 of 2015

WEB COPY

SELVI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE

ETTAYAPURAM POLICE STATION,

TUTICORIN DISTRICT.

CR. NO. 103/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.VINAYAGAN Advocate

For Respondent : MR.P.KANDASAMY, 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 406, 420 and 477(A) IPC in Crime No.103 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 this petitioner was working as Postmaster and that she had misappropriated a sum of Rs.20,000/- from the Savings Account of an account holder.

4. Learned counsel for the petitioner submits that the petitioner has been suspended from service and that she has also repaid the defalcated amount.

5. Learned Government Advocate (Crl.Side) on instructions from the respondent police submits that the petitioner has repaid the said amount.

6. Under such circumstances, the petitioner, being a lady, this Court is of the view that custodial interrogation of this petitioner may not be necessary and therefore, 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 No.II, Kovilpatti, 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 10:30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall give her specimen signature, handwriting and thumb impression etc, when demanded by the respondent 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/-
24/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
 - 3 THE SUB INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION, TUTICORIN DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.VINAYAGAN Advocate SR.No.14662

ORDER IN
CRL OP(MD) No.5397 of 2015
Date :24/03/2015