



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5840 of 2015

K.BOOPATHI

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY THE SUB-INSPECTOR OF POLICE

CCIW, TRICHY.

CRIME NO.3/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.BAALASUNDHARAM Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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, 420, 468, 471, 477(A), 120(b) r/w 34 IPC in Crime No.3 of 2015, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

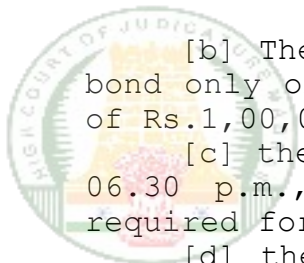
3. It is seen that A-1 and A-3 were arrested and released on bail. As regards this petitioner, she is the wife of A-1 and it is alleged that she had defalcated a sum of Rs.1,00,000/-.

4. The learned counsel for the petitioner submits that the petitioner has paid a sum of Rs.1,00,000/-.

5. Be that as it may, the total defalcation amount comes to Rs.5,21,301/-. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Trichy, 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 pay a sum of Rs.1,00,000/- (Rupees One Lakh only), within a period of four weeks from the date of receipt of a copy of this order, to the Maravanoor Primary Agricultural Co-operative Society, towards the defalcated amount. The petitioner shall produce the same before the learned Judicial Magistrate No.III, Trichy, at the time of furnishing bail bonds.



[b] The learned Judicial Magistrate No.III, Trichy, shall accept the bond only on the petitioner producing the evidence for having paid a sum of Rs.1,00,000/- (Rupees One Lakh only) to the said Society.

[c] the petitioner shall report before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
06/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.III, TRICHY.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

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

4 THE SUB-INSPECTOR OF POLICE, CCIW, TRICHY.

+1. CC to M/S.K.BAALASUNDHARAM Advocate SR.No.25102

ORDER IN
CRL OP(MD) No.5840 of 2015
Date :06/05/2015

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