



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

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.945 of 2015

MARIAPPAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
THOOVAKUDI POLICE STATION, THIRUCHIRAPPALLI,
CRIME NO.336/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.A.PUNITHAN Advocate
For Respondent : M/S.C.RAMESH, 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 offence punishable under Sections 409 and 477(A) I.P.C in Crime No.336 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as Panchayat Clerk in Chekkanam Panchayat and he had misappropriated around Rs.7 lakhs.

3. Even in the F.I.R, it is stated that the petitioner has re-paid the alleged misappropriated amount even before the complaint was lodged.

4. Considering the facts and circumstances of the case, I am 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Thiruchirapalli, 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 station daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

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

[d] 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/-
22/01/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.VI
TIRUCHIRAPPALLI

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

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

4.THE INSPECTOR OF POLICE
THOOVAKUDI POLICE STATION, THIRUCHIRAPPALLI,

+One cc to M/S.T.A.PUNITHAN, ADVOCATE, SR.NO.2898

RL/6 C- 28/1/2015

ORDER
IN
CRL OP(MD) No.945 of 2015
Date :22/01/2015