



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

Tuesday, the Sixteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9883 of 2015

N. SAKTHIVEL

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

C.C.I.W.C.I.D POLICE STATION, DINDIUGOL DISTRICT,
(CRIME NO.5 OF 2015).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.SARAVANAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. 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 A.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 403, 408, 409, 468, 471 and 477A I.P.C. in Crime No.5 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the Deputy Registrar, Co-operative Societies, the accused have misappropriated a sum of Rs.1,11,000/-.

3. The learned Counsel for the petitioner submitted that the petitioner was functioning as a President of the Co-operative Society and the second accused is the Secretary of the Society. It is further submitted that the Secretary/A.2 has indulged in illegal activities and therefore, the petitioner had initiated action against A.2 and after conducting departmental enquiry, he was dismissed from service on 02.05.2014. The learned Counsel further submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.Per contra, the learned Government Advocate (Crl.Side) submitted that both the accused colluded together and misappropriated the funds of the Society. It is further submitted that the accused have deposited the entire amount of Rs.1,11,000/- to the credit of the Deputy Registrar. It is further submitted that the petitioner has no bad antecedent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Madurai and on his 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 petitioner shall appear before the respondent police daily at 10.00 a.m.for a period of two weeks and thereafter as and under Section 438 Cr.P.C. Scrupulously.



7. 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/-
16/06/2015

/ TRUE COPY /

WEB COPY

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

TO

- 1 THE JUDICIAL MAGISTRATE NOIII, MADURAI
- 2 -do- Thro THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
C.C.I.W.C.I.D POLICE STATION, DINDIUGOL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.SARAVANAN Advocate SR.No.31089

Sm:23.06.2015:2P/6C

ORDER
IN
CRL OP(MD) No.9883 of 2015
Date :16/06/2015