



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

Tuesday, the Twenty Third day of August Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.15506 of 2016

WEB COPY

BISHOP

... PETITIONER/ACCUSED NO.I

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
PALAKKARAI POLICE STATION,
TRICHY CITY.
CRIME NO.81/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.ROBINSON Advocate

For Respondent : MR.P.KANNITHEVAN, 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 Accused No.1, apprehends arrest at the hands of the respondent police for the offence punishable under Section 420 IPC, in Crime No.81 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

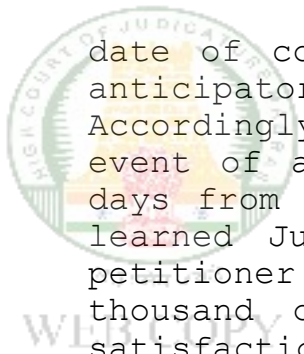
2.The case of the prosecution is that the de facto complainant is working as a Pastor in TELC Church. The petitioner and other accused persons have not deposited the Provident Fund amounts and other subscription amounts recovered from the salary of the de facto complainant, to his account and cheated to the tune of Rs.5,80,000/-. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he served as a Bishop of TELC Church from 2009 to 2013 and he has nothing to do with the affairs of the management of the TELC Church and the entire financial transactions are managed only by the Treasurer and Secretary of TELC Church and it is the duty of the treasurer to remit the PF amount and disburse the salary to the Pastors and the petitioner was also not paid salary for the years 2012 and 2013. The petitioner, during his tenure, has not extended the service of the de facto complainant as a Pastor and due to that a false complaint has been given. Already, the management of TELC Church paid a sum of Rs.4,00,000/- to the de facto complainant. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that on the complaint given by the de facto complainant dated 07.02.2015, a case has been registered for the above said offences and investigation is pending.

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

5.Considering the facts and circumstances of the case and also considering the nature of allegation against the petitioner and the



date of complaint is 07.02.2015, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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.V, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
23/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TRICHY.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY
 - 3 THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION, TRICHY CITY.
 - 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.ROBINSON Advocate SR.No.46478

ORDER
IN
CRL OP(MD) No.15506 of 2016
Date :23/08/2016