



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

Tuesday, the Twenty First day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9801 of 2016

N. SENTHAMARAI

... PETITIONER / ACCUSED No.2

Vs

THE STATE TAMIL NADU

REPRESENTED BY THE INSPECTOR OF POLICE

COMMERCIAL CRIME INVESTIGATION WING (CCIW)

TRICHY(CRIME NO. 5 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.MANIMARAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Cr1. Side)

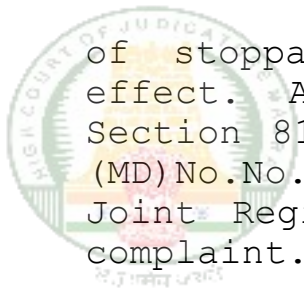
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 409, 468, 471 and 477-A IPC, in Crime No.5 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner while working as Branch Manager of No.1, Tollgate TDCC Bank, sanctioned loan to ineligible persons due to her negligence. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. The petitioner has sanctioned the loan only to the proper and eligible persons. The data entry operators, who are working on contract basis, committed mistakes in the accounts of customers and manual records are properly maintained. Enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act was conducted and the Enquiry Officer gave a finding that the petitioner is not guilty of misappropriation, but due her negligence, she failed to supervise the data entry operators and she was given punishment



of stoppage of increment for three years with cumulative effect. Again for the very same offence, another enquiry under Section 81 of the Act was ordered. The petitioner filed W.P (MD) No. No. 8281 of 2016 before this Court. Due to that the Joint Registrar of Co-operative Societies has given a false complaint.

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4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner sanctioned loan to ineligible persons and all the loan amounts were recovered and proceedings under Section 81 of the Act was initiated and she was given punishment.

5. Considering the facts and circumstances of the case and also considering the fact that enquiry under Section 81 of the Act was initiated and conducted and punishment is also imposed for negligence and a writ petition is also pending with regard to the second enquiry, 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 her appearance before the learned Judicial Magistrate No. III, Trichy, and on her 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 as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

21/06/2016

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

TO

1 THE JUDICIAL MAGISTRATE NO. III,
TRICHY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY



3 THE INSPECTOR OF POLICE
COMMERCIAL CRIME INVESTIGATION WING (CCIW)
TRICHY

4 THE GOVERNMENT ADVOCATE
(CRL.SIDE) MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S R.MANIMARAN Advocate SR.No.31830

SMN

JAM/21.06.16/AAL-MPA/SAR I/3P-6C

ORDER

IN

CRL OP (MD) No.9801 of 2016

Date :21/06/2016