



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

Thursday, the Twenty Third day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9996 of 2016

V. KAVITHA

... PETITIONER/ACCUSED NO.3

Vs

STATE REP BY THE INSPECTOR OF POLICE

CCIW (CITY WING), TRICHY.

CRIME NO. 05 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.BABU JAGANATH 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 apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 408,409,468,471 and 477(A) of IPC in Crime No.05 of 2016, seeks anticipatory bail.

2.The case of the prosecution is that accused persons while working in Tollgate TDCC Bank, sanctioned loan to ineligible persons and caused loss to the Bank. On complaint, a 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 and her name has been falsely implicated in this case. He further submitted that after conducting enquiry, as per Section 81 of the Tamil Nadu Co-operative Societies Act the petitioner was given punishment of stoppage of increment for one year without cumulative effect. Again for the very same offence Joint Registrar / Managing Director of Thiruchirappalli District, Central Co-operative Bank Limited, Trichy has given a false complaint. He further contended that co-accused was granted anticipatory bail by this Court in Crl.O.P(MD).No.9801 of 2016 dated 21.06.2016 and prayed for granting anticipatory bail in favour of the petitioner.



ineligible persons and all the loan amounts were recovered and the 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 and that the co-accused was granted anticipatory bail by this Court, 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.V, Trichy and 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 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

23/06/2016

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

TO

1 THE JUDICIAL MAGISTRATE NO.V, TRICHY
2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY
3 THE INSPECTOR OF POLICE, CCIW (CITY WING), TRICHY.
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.BABU JAGANATH Advocate SR.No.32484

trp

AA/AAL-MPA/SAR-III/24.06.2016/2p-6c

ORDER

IN

CRL OP(MD) No.9996 of 2016

Date :23/06/2016