



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

Wednesday, the Sixteenth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10137 of 2017

UTHANDI

... PETITIONER/ACCUSED (SOLE)

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
CRIME NO.5 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.SENTHIL MURUGAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

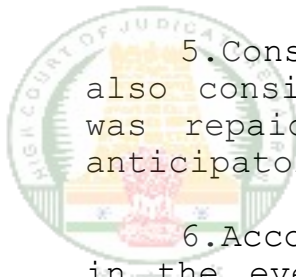
ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 409 of IPC, in Crime No.5 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, while he was working at Sadaiyaneri Post office, has misappropriated the recurring deposit amount to the tune of Rs.18,000/- between the period February 2011 and December 2013 and retained the passbook with him.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. It is further submitted that the petitioner assumed in the office as Post Master in the year 1986 and rendering his unblemished service without adversity and that he was suspended from service without proper enquiry and the alleged misappropriated amount was repaid by him to the Department from his pocket in order to prove his genuineness.

4.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that alleged misappropriation amount was repaid by the petitioner and the investigation is still pending.



5.Considering the above facts and circumstances of the case and also considering the fact that the alleged misappropriated amount was repaid by the petitioner, 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.II, Ramanathapuram 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 until further orders. The petitioner shall comply with the conditions stipulated 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

16/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.SENTHIL MURUGAN Advocate SR.No.28785
ER
CSL/PM-PN/SAR-II/22.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.10137 of 2017
Date :16/08/2017