



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

Friday, the Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13566 of 2017

R.KADALMANI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

DISTRICT CRIME BRANCH, TRICHY,

(CR.NO.27 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.K.ANBARASAN Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

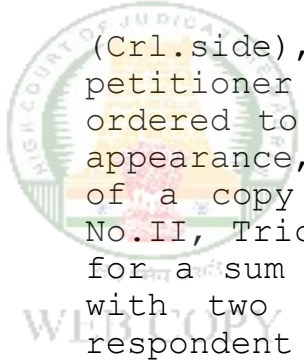
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of I.P.C., in Crime No.27 of 2015, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant who was working as Assistant Superintendent of Postal Department, Lalgudi Division, lodged a complaint against the petitioner. While he was working as Assistant Superintendent of Postal Department, Lalgudi Division, misappropriate savings account amount of various account holders causing severe loss to the Postal Department. Thereby, the respondent Police registered the case against the petitioner. In the meantime, the Departmental Proceedings were also initiated against him without prejudice rights to the petitioner. The petitioner deposited a sum of Rs.2,60,000/- (Rupees Two Lakhs and Sixty Thousand only) as loss estimated by the Department.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) appearing for the State also confirmed that the deposit made by the petitioner for the Assistant Superintendent of Postal Department, Lalgudi Division.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side), I am 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioner shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-
06/10/2017

/ TRUE COPY /

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

MRN/DAS
TO

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

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.32301

GJM/CM/MSA/SAR-2-11.10.17-2P-6C

ORDER
IN
CRL OP(MD) No.13566 of 2017
Date : 06/10/2017