



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

Friday, the Seventeenth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.14675 of 2017

A.KANAKARAJ

... PETITIONER/RANK NOT KNOWN

Vs

STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
DINDIGUL.
CRIME NO.NOT KNOWN/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SHEIK ABDULLAH Advocate

For Respondent : MR.C.MAYIL VAHANA RAJENDRAN,
Additional Public Prosecutor

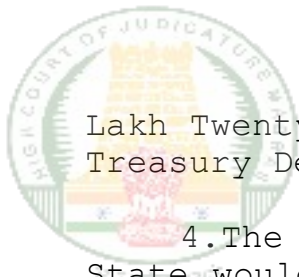
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 409, 420, 465, 468, 471 r/w 120(b) IPC, in Crime No.21 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is an employee (Accountant) in the Sub Treasury Department, Kodaikanal, the petitioner and other accused persons have misappropriated a sum of Rs.2,36,439/- (Rupees Two Lakh Thirty Six Thousand Four Hundred and Thirty Nine only) of the said Treasury. Thereby, the Assistant Treasury Officer made a complaint before the respondent police. Accordingly, case was registered against the petitioner and other accused persons.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by prosecution. However, he obeyed one Vijayakumar, who is Assistant Sub Treasury Officer and accepted for remittance and withdraw some amount from his own account as per the superior officer's direction. The petitioner already deposited RS.1,08,000/- (Rupees One Lakh and Eight Thousand only) to the now he is ready to deposit a balance amount of Rs.1,28,439/- (Rupees One



Lakh Twenty Eight Thousand Four Hundred and Thirty Nine only) to the Treasury Department in order to prove his bonafide.

4. The learned Government Advocate (Crl.side) appearing for the State would submit that he conceded the request made by the learned counsel for the petitioner.

6. Considering the facts and circumstances of the case, 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 his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the Judicial Magistrate Court No.II, Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five 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 deposit a sum of Rs.1,28,439/- (Rupees One Lakh Twenty Eight Thousand Four Hundred and Thirty Nine only) to the credit of Crime No.21 of 2017, before the Judicial Magistrate Court, No.II, Dindigul and thereafter the learned Magistrate shall accept the sureties furnished by the petitioner and disburse the amount in favour of the Treasury.

(ii) the petitioner shall report before the investigation officer, daily at 10.00 a.m., for a period of two weeks;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall make herself available for interrogation including custodial interrogation as and when required by the investigation officer;

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

(vi) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
17/11/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL

2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, DINDIGUL.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.M.SHEIK ABDULLAH Advocate SR.No.34627

ORDER
IN
CRL OP(MD) No.14675 of 2017
Date :17/11/2017

SMA/CM-VR/SAR-4/27.11.2017:3P/6c