



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

Wednesday, the First day of March Two Thousand Seventeen
PRESENT

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

CRL OP(MD) No.2135 of 2017

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DURAIMUTHU

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY
STATE THROUGH
THE SUB INSPECTOR OF POLICE,
ELAYAIRAMPANAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.5 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner :MR.M.PRABHU Advocate for M/S.POLAX LEGAL SOULUTION S

For Respondent :MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

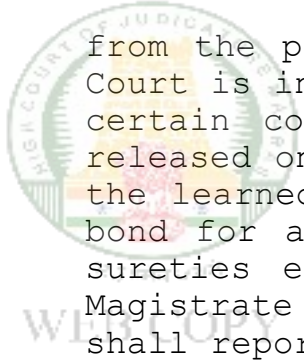
The petitioner, who is arrayed as sole accused, in Crime No.5 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 406 IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he is nothing to do with the alleged offence and he has been implicated only because of the enmity.

4.The learned Government Advocate (Crl. Side) appearing for the respondent on instructions submitted that the petitioner is the sole accused in this case. The petitioner while working as postman at Chippiparai Branch has collected savings account amount of Rs.37,000/- from four Villagers, but the petitioner did not paid the amount in the post office account of the four Villagers. Hence, a case was registered. He would further submit that the said amount was also recovered and thereafter, the petitioner was suspended from service also.

5.Considering the above facts and circumstances of the case and also considering the fact that the collected amount of Rs.37,000/-, which was not handed over in the post office account, was recovered



from the petitioner herein and he was suspended from service, 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 his appearance before the learned Judicial Magistrate No.I, Sathur 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 report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions 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/-
01/03/2017

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, SATHUR.

2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILIPUTTUR.

3.THE SUB INSPECTOR OF POLICE,
ELAYAIRAMPANNAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.POLAX LEGAL SOULUTION S Advocate SR.No.11736

ORDER
IN
CRL OP(MD) No.2135 of 2017
Date :01/03/2017

MS/RR/SAR2/3.3.2017/2P.6C