



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

Monday, the Nineteenth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.6557 of 2017

SAMUEL SATHIYASEELAN

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI
CRIME NO.282 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.PRABHU RAJADURAI Advocate

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

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

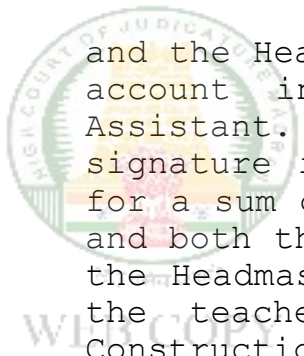
ORDER : The Court Made the following order :-

The petitioner/sole accused, in Crime No.282 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(ii) and 420 of I.P.C., and hence, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3. The case of the prosecution is that the petitioner is a Lab Assistant working under the Caldwell Higher Secondary School and he has collected Rs.200/- from 153 students and deposited only Rs.100/- in students account and thereby misappropriated the remaining amount.

4. The learned counsel for the petitioner would submit that the Headmaster and the Correspondent would carry out the financial duties of the school and they would assign the physical work like collection to the petitioner and the de-facto complainant has misappropriated a sum of Rs.58 lakhs and in order to get away from there, he has given a false complaint against the petitioner. He would further submit that as per the instruction of the Headmaster, he has collected Rs.100/- and handed over the same to the Headmaster



and the Headmaster has prepared *bona fide* certificate and opened the account in the name of the students through another Office Assistant. He also submitted that the allegation of fabrication of signature in three cheques is concerned, one was drawn in his name for a sum of Rs.1 lakh and another is a self cheque for Rs.60,000/- and both the above said cheques have been given to the petitioner by the Headmaster for withdrawing the same and handed over the same to the teacher viz., David on 23.09.2016, to carry out Chappel Construction work and in respect of the third cheque, it was drawn in the name of one Jacob for a sum of Rs.75,000/-.

5. Considering the facts and circumstances of the case, 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.III, Thoothukudi 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 8.00 p.m. until further orders. The petitioner shall comply with the condition 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/-
19/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
THOOTHUKUDI NORTH POLICE STATION, THOOTHUKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

CSL/RR-BS/SAR-II/23.06.2017: 2P/5C

ORDER
IN
CRL OP(MD) No.6557 of 2017
Date :19/06/2017