



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

Tuesday, the First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) Nos.9461 and 9329 of 2017

ANGALA ESHWARI

... PETITIONER/ACCUSED NO.2
IN CRL OP(MD)No.9461 of 2017

GNANAPRAKASAM

... PETITIONER/ACCUSED NO.6
IN CRL OP(MD)No.9329 of 2017

Vs

STATE REP.BY ITS,
THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO.553 OF 2017

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.N.TAMILMANI Advocate
IN CRL OP(MD)No.9461 of 2017

For Petitioner : M/S.R.KARUNANIDHI Advocate
IN CRL OP(MD)No.9329 of 2017

For Respondent : MR.C.RAMESH, Additional Public Prosecutor
IN BOTH THE PETITIONS

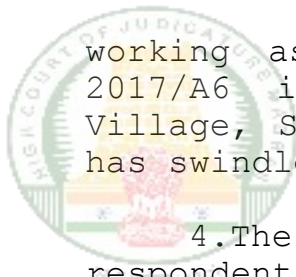
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-2 and A-6 in Crime No. 553 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 409, 420 and 120(B) IPC and hence, seek anticipatory bail.

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

3. The case of the prosecution is that five Panchayat Village Secretaries and some bank officials have conspired and created forged documents and swindled a sum of Rs.49,67,084/- by transferring the said amount to the account of Padamathur Panchayat Union Account, where the petitioner in Crl.O.P.No.9461 of 2017 is



working as the Secretary. The petitioner in CrI.O.P.No.9329 of 2017/A6 is working as Village Secretary in Arasanimuthupatti Village, Sivagangai District. The allegation against A6 is that he has swindled Rs.2,28,526/-.

4.The learned Additional Public Prosecutor appearing for the respondent on instructions submitted that the petitioners colluded with the higher officials and swindled money.

5. The learned counsel appearing for the petitioners submits that the petitioners have acted as advised by the superiors and only on the instruction of the Block Development Officer the amount has been transferred and 11.07.2017 at 1.30 p.m, the petitioner has made a complaint to the then Block Development Officer named Chandra and the petitioner in CrI.O.P.(MD) No.9329 of 2017 is the first person, who informed about the fund transfer from Arasanimuthupatti Village to the Padamathur village and the petitioners did not commit any offence as alleged by the prosecution.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Sivagangai, and on each of them 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. It is submitted that the petitioner in CrI.O.P.(MD) No. 9461 of 2017 has recently given birth to a child and hence, she shall appear before the respondent police as and when required and the petitioner in CrI.O.P.(MD) No.9329 of 2017 shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners 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.

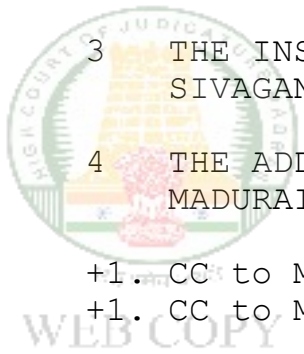
sd/-
01/08/2017

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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, SIVAGANGAI.



3 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

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

+1. CC to M/S.N.TAMILMANI Advocate SR.No.27719

+1. CC to M/S.N.TAMILMANI Advocate SR.No.27806

CM

CSL/PM-PN/SAR-II/04.08.2017 : 3P/7C

ORDER

IN

CRL OP(MD) Nos.9461&9329 of 2017

Date :01/08/2017