

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18374 of 2018

R.RUCKMANI, [PETITIONER / ACCUSED]

vs

THE INSPECTOR OF POLICE [RESPONDENT]
DISTRICT CRIME BRANCH,
COIMBATORE DISTRICT.
CR.NO.NOT KNOWN OF 2018.

For Petitioner : M/S.G.SANKARAN Advocate

For Respondent : MR. C.IYYAPPARAJ, 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 for the offences under Sections 409, 468, 471, 477A, 420, 34 of IPC in Crime No.26 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the petitioner was working as Head Mistress in Government Higher Secondary School Pollachi, Coimbatore, the co-accused who was working as a Record Clerk had misappropriated the amounts allotted to the teachers and that instead of crediting the amount to the teachers, credited the amount to her own account and thereby swindled the Government funds and that on the complaint given by the District Education Officer, a case has been registered by the respondent police.

3. The learned counsel appearing for the petitioner would submit the petitioner is no way connected with the offence and that she has been falsely implicated in this case and because of the misappropriation committed by the Record Clerk, her retirement has been stopped by the appointing authority.

4. The learned Government Advocate(crl.side) would submit that because of lack of supervision on the part of the petitioner, the record clerk has committed the misappropriation and that investigation is pending.

5. Considering the nature of allegations against the petitioners and that the allegation against the petitioner is only lack of supervision, I am inclined to grant anticipatory bail to the petitioner.

6. 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 of receipt of a copy of this order, before the Judicial Magistrate No.II, Coimbatore, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police as and when required for interrogation.

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

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

06/09/2018

WEB COPY

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
COIMBATORE DISTRICT,

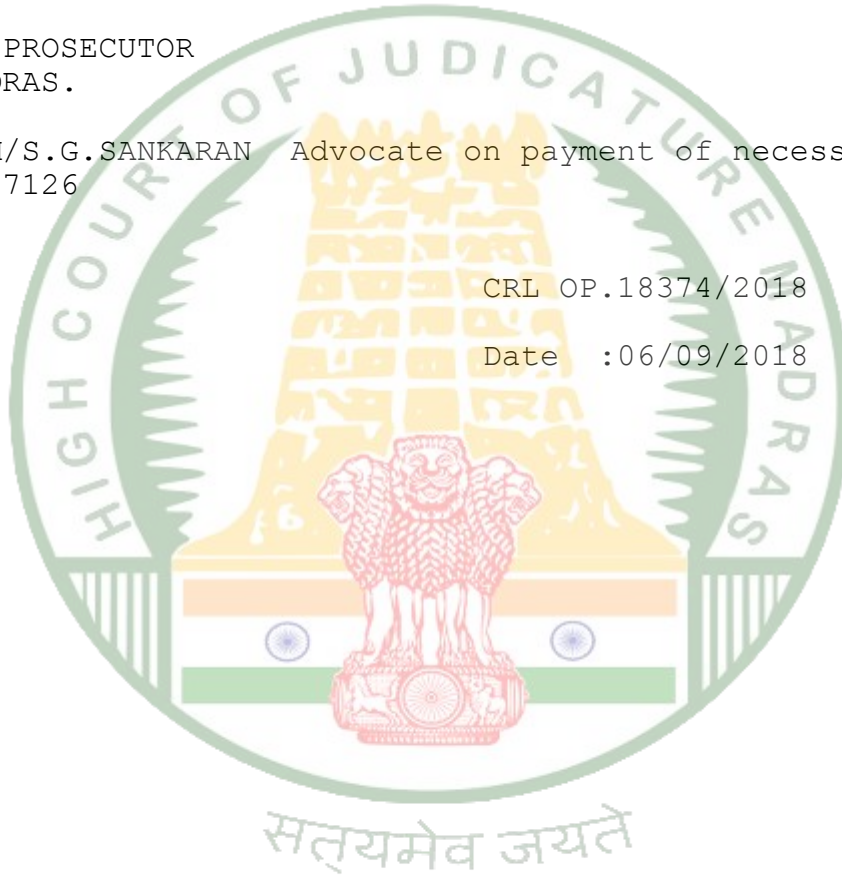
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.SANKARAN Advocate on payment of necessary
charges SR.NO.17126

CRL OP.18374/2018

Date :06/09/2018

TA-14/09/2018



WEB COPY