



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

Monday, the Twenty Ninth day of January Two Thousand Eighteen

WEB COPY

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

**CRL OP (MD) No.1297 of 2018**

PURUSOTHAMAN

... PETITIONER/ACCUSED  
(RANK NOT KNOWN)

Vs

STATE REP.BY.,  
THE INSPECTOR OF POLICE,  
CCIW, THANJAVUR DISTRICT.  
(CRIME NO.1 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.KARNAN Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 408, 465, 468, 471 and 477-A of IPC., in Crime No.1 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner after preparing the bogus receipts executed 33 sale deeds in favour of the beneficiaries. Thereby, a loss has been sustained to the Society. Hence, the case has been registered for the above said occurrence.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that he has been falsely implicated in this case. Hence, he prayed for anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions would submit that during the time of investigation, the petitioner misappropriated the amount of Rs.33,58,855/-. Further submitted as of now, the same was repaid by the accused to the Society, he produced a letter submitted



by the Regional Deputy Registrar, Thanjavur in this regard.

5. The submissions made by the learned counsel on either side are considered. It is alleged that during the time of alleged occurrence, the petitioner after making the false receipts, misappropriated a sum of Rs.33,58,855/- from the beneficiaries. As of now, as per the letter submitted by the Regional Deputy Registrar, dated 17.01.2018, the petitioner herein repaid the entire amount to the Society. Hence, custodial interrogation may not be necessary for completing the investigation. Therefore, considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with **some 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 learned Judicial Magistrate, Kumbakonam, 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 report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

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

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

(iv) on breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and 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 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]**.

sd/-

29/01/2018

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



TO

1 THE JUDICIAL MAGISTRATE, KUMBAKONAM

2 THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE,  
CCIW, THANJAVUR DISTRICT.

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

+1. CC to M/S.G.KARNAN Advocate SR.No.1438

ORDER

IN

CRL OP(MD) No.1297 of 2018

Date :29/01/2018

PK/RR/SAR-4/02.02.2018 : 3P/6C