



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

Thursday, the Twenty Second day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4491 of 2018

K.ANNAMALAI,

... PETITIONER / ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TRICHY CITY.
CRIME NO.15 OF 2007.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

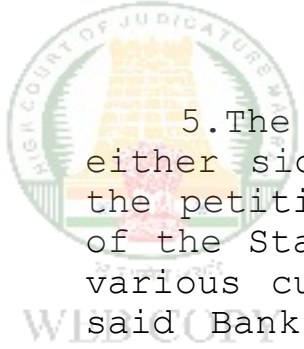
ORDER : The Court Made the following order :-

The petitioner/A7, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 420 and 120(b) I.P.C., in Crime No.15 of 2007, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused in this case being the staff of the State Bank of India, Trichirappalli had given a loan to various customers by pledging their jewels, due to which, the said Bank was sustained loss to the tune of Rs.6,70,228/-. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that totally there are eight accused in this case. The petitioner herein is arrayed as A7. According to him, investigation is still pending.



5. The submissions made by the learned counsel appearing on either side are considered. It is alleged, in the year 2004, the petitioner and other accused in this case being the staff of the State Bank of India, Trichirappalli had given a loan to various customers by pledging their jewels, due to which, the said Bank was sustained loss to the tune of Rs.6,70,228/-. According to prosecution, as of now, the said loan amount was repaid by the customers, who availed the loan from the above said Bank. According to prosecution, as of now, the Bank is not having any loss. So, for the reasons stated above, custodial interrogation of the petitioner may not be necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, he 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 learned Judicial Magistrate No.II, Trichy, 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:

(ii) the petitioner shall report before the respondent police daily at 10.00 a.m. Until further orders.

(i) 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 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].

sd/-
22/03/2018

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msa
TO

1 THE JUDICIAL MAGISTRATE NO.II, TRICHY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TRICHY CITY.

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

+1. CC to M/S.M.SARAVANAN Advocate SR.No.4650

GJM/PMI/SAR-4-3.4.18-3P-6C

ORDER

IN

CRL OP(MD) No.4491 of 2018

Date :22/03/2018