



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) No.7556 of 2018

NAGESWARAN

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CCIW, CID, RAMANATHAPURAM,
RAMNAD DISTRICT.
IN CR NO. 1 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.POORNA CHANDRAN Advocate
For Respondent : MR.M.ASOKAN Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A-2, who was arrested and remanded to judicial custody on 05.04.2018 for the alleged offences punishable under Sections 408, 409, 465, 468, 471, 477A and 120-B of I.P.C, in Crime No.1 of 2018 on the file of the respondent police and hence, seeks bail.

2. The allegation against the petitioner is that during the period between 25.05.2015 to 21.09.2016, the petitioner caused loss to the co-operative society in which he worked as a Cashier. It is alleged that the petitioner misappropriated the fund to the tune of Rs.21,25,000/-.

3. On the side of the petitioner, it is stated that the amount was already deposited. The petitioner is an innocent person and the co-accused A-1 and A-3 were already released on bail. The petitioner is in judicial custody from 05.04.2018 till date and prayed that the petitioner to be released on bail.

4. On the side of the respondent, it is stated that the petitioner has not deposited any amount and only A-3 has deposited Rs.16,00,000/- a part amount and hence, objected to the release of the petitioner on bail.

5. The case against the petitioner is based on the records available and there cannot be any chance for the petitioner to interfere in the investigation. Already the co-accused were



released on bail and part amount was already deposited. The petitioner is in judicial custody from 05.04.2018.

6. Considering these facts, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) the petitioner 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 learned Judicial Magistrate No.I, Ramanathapuram;

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m., until further orders;

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

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

(v) on breach of any of the aforesaid conditions, the learned Judicial Magistrate No.I, Ramanathapuram 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 Judicial Magistrate No.I, Ramanathapuram, himself as laid down by the Honourable Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-

03/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE
CCIW, CID, RAMANATHAPURAM, RAMNAD DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.POORNA CHANDRAN Advocate SR.No.8023

ORDER IN
CRL OP(MD) No.7556 of 2018
Date :03/05/2018