



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

Friday, the Ninth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.19069 of 2018

THANGAKALYANI

... PETITIONER/PETITIONER/ACCUSED NO.4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
SIVAGANGAI
CR NO.8/2018

... RESPONDENT/RESPONDENT/COMPLAINANT

For Petitioner : MR.P.GANAPATHI SUBRAMANIAN, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 468, 471, 420 and 120(b) of IPC., in Crime No.8 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is then Assistant Manager of Manapuram Finance (P) Ltd., Sivagangai Branch, along with Staffs, had misused the jewels pledged by the customers and misappropriated money.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and she did not commit any offence, as alleged by the prosecution.

4. The learned Government Advocate (crl.side) appearing for the respondent, on instructions, would submit that the petitioner, who is then Assistant Manager of Manapuram Finance (P) Ltd., Sivagangai Branch, along with other staffs, misused the jewels pledged by the customers and misappropriated the amount.



5. On going through the complaint, it is seen that no specific instances have been attributed to the role of the petitioner in the commission of offence. Further, it is found that the jewels, which had already been pledged have been re-pledged in different names and enhanced loan amount has been swindled out.

6. Considering the nature of offence and the petitioner being a lady, who was erstwhile Assistant Manager of the said Finance Company, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions;

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate No.II, Sivagangai, on condition that 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 Magistrate concerned and on further condition that;

[a] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police, daily at 10.00 a.m., for a period of two weeks, and thereafter, 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/11/2018

/ TRUE COPY /

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

TO

<https://hcservices.ecourts.gov.in/hcservices/>

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

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

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

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.21344

ORDER

IN

CRL OP(MD) No.19069 of 2018

Date :09/11/2018

MPK

PK/JC/SAR-4/15.11.2018 : 2P/6C