



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

Wednesday, the Twenty Eighth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.19731 of 2018

YASOTHA

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP BY
THE INSPECTOR OF POLICE
CCIW, TRICHY,
Crime No.5/2016

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.LENIN KUMAR Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor.

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

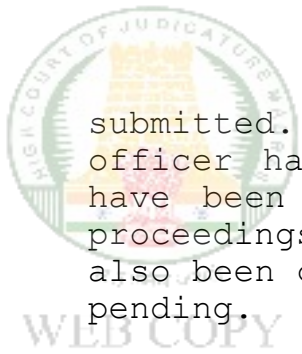
ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 409, 468, 471 and 477-A of IPC in Crime No.5 of 2016, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is arrayed as A4 in this case. The petitioner who is the member of the Self Help Groups, was having account in the Central Co-operative Bank, Thiruchirappalli District. The credentials loans were obtained from the Central Co-operative Bank by forging the persons name. The petitioner had misappropriated amount to the tune of Rs.22,17,676/- and affixed thumb impression in some of the loan papers by using forged documents.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has nothing to do with the alleged occurrence.

4.The learned Government Advocate (Crl.side) for the respondent police would submit that the petitioner is working in the Self Help Groups and she had joined together with the other accused in committing the above offence. The 81 enquiry report has been



submitted. On perusal of the 81 report, it is seen that the enquiry officer had given a categorical finding that all the loan amount have been repaid with interest. Further, there is no surcharge proceedings pending against any of them and the forensic report has also been obtained. He further submitted that the investigation is pending.

5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court is 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Trichy, 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 said Magistrate, on further condition that:

[a] if the petitioner fail 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 10.30 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/-
28/11/2018

/ TRUE COPY /

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

TO



2. THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT

3. THE INSPECTOR OF POLICE,
CCIW, TRICHY.

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

+1. CC to Mr. T. LENIN KUMAR Advocate SR.No.22250

ORDER

IN

CRL OP (MD) No.19731 of 2018

Date : 28/11/2018

TK/PN/SAR-1/03.12.2018/3P/6C