



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

Wednesday, the Fourteenth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.20320 of 2018

BERNATHATH RAGINI @

BERNATH RAGINI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE,
REP. BY SUB INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT
(CRIME NO.704 of 2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.D.SELVARAJ Advocate

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

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

ORDER : The Court Made the following order :-

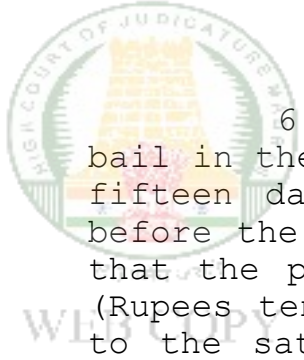
The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC, in Crime No.704 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant who is the VAO of Sithalagundu Village lodged a complaint stating that the petitioner who is working in the Canara Bank and in charge of the dispatch of the monthly amount of Rs.1000/- per beneficiary under Social Security Scheme, in which, she had paid only Rs.980 and kept Rs.20. Hence, the complaint.

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 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.I, Dindigul, 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 is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand Only) to the Credit of Crime No.704 of 2018 before the concerned Magistrate.

[c] the petitioner shall report before the respondent police daily at 10.00 am for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

sd/-
14/11/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO I,
DINDIGUL

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL

3 THE SUB INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT



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

+1. CC to MR.D.SELVARAJ Advocate SR.No.21640

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ORDER

IN

CRL OP (MD) No.20320 of 2018

Date :14/11/2018

MSI/RR/SAR-II/20.11.2018-3P/6C