



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

Tuesday, the Sixteenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2151 of 2019

K.GURUSAMY

... PETITIONER / ACCUSED

Vs

STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
NAGUDI POLICE STATION,
ARANTHANGI TALUK,
PUDUKOTTAI DISTRICT
Crime No.Not Known of 2019

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.A.SELVAM 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 offence punishable under Sections 409, 420 and 468 IPC, in Crime No.Not known of 2019, seeks anticipatory bail.

2.The case of the prosecution that the petitioner is working as an Associate in State Bank of India, Arasarkulam Branch and he has misappropriated a sum of Rs.3,95,500/- from nearly 24 savings Bank account holder, thereby, a complaint was given before the respondent police and a case came to be registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner has re-credited the entire amount and hence, he would pray for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State on instructions would submit that the petitioner had re-credited the amount of Rs.3,95,500/. He would further submit that investigation is pending.

5.Considering the facts and circumstances of the case and considering the fact that the entire amount has been re-credited, I am 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Aranthangi, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix his photograph and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/04/2019

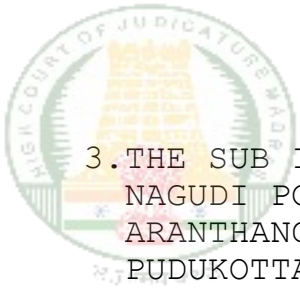
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
ARANTHANGI.

<https://hcservices.reports.gov.in/hcservices/>
2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.



3. THE SUB INSPECTOR OF POLICE,
NAGUDI POLICE STATION,
ARANTHANGI TALUK,
PUDUKOTTAI DISTRICT.

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

+1. CC to Mr.A.SELVAM Advocate SR.No.6921

ORDER

IN

CRL OP (MD) No.2151 of 2019

Date :16/04/2019

TK/MMS/SAR-4/23.04.2019/3P/6C