



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

Tuesday, the Twenty Sixth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2944 of 2019

ARJUNEPANDIYAN @ RAJA ARJUNEPANDIYAN ... PETITIONER/ACCUSED No.8

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
CCIW POLICE STATION,
SIVAGANGAI,SIVAGANGAI DISTRICT,
CRIME NO.1/2019

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.PUGALENDHI, 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 offence under Sections 408, 409, 420, 467, 468, 471, 477A and 109 of IPC in Crime No.1 of 2019, on the file of the respondent police.

2.It is the case of the prosecution that the petitioner while working as Supervisor in the Cooperative Bank, made loss to the said bank along with other accused. The said bank after conducting due enquiry, filed the complaint before the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. In fact there are other responsible persons involved for dereliction of duty, in which the petitioner has been impleaded as one among them and he has not committed any allegation and loss to the bank. However on instructions, the learned counsel for the petitioner further submitted that the petitioner is ready and willing to deposit a sum Rs.1,00,000/- to the credit of Crime No.1 of 2019, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to his defence before the Trial Court and thereafter the said amount may be disbursed to Sakkor Bank and prays for anticipatory bail.

4.The learned Government Advocate (Crl. Side) appearing for the State submitted that the investigation is pending and the petitioner made loss to the bank to the tune of Rs.2,78,200/-.



5. Considering the facts and circumstances of this case and also considering the allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. 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 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 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 shall deposit a sum Rs.1,00,000/- to the credit of Crime No.1 of 2019, within a period of two weeks from the date of receipt of a copy of this order before the Trial Court and thereafter the said amount may be disbursed to Sakkor Primary Agricultural Bank, only on such deposit, the sureties bond shall be accepted.

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

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

(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]**; and;

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

sd/-
26/02/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE
CCIW POLICE STATION,
SIVAGANGAI AND DISTRICT

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

+1. CC to Mr.S.PUGALENDHI Advocate SR.No.3941

ORDER

IN

CRL OP(MD) No.2944 of 2019

Date :26/02/2019

ias

PK/JC/SAR-2/05.03.2019 : 3P/6C