



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

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3149 of 2019

ADHITHAN

... PETITIONER / ACCUSED
No.8

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUNELVELI
Crime No.10/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.KRISHNAN Advocate

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

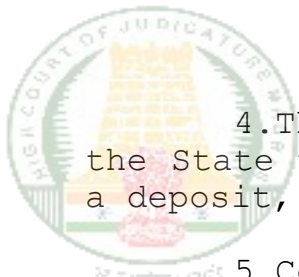
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 353, 403, 380(2), 406, 420, 468 and 471 of IPC r/w Rule 5 A of Collection of Income and Incurring of Expenditure Rules, in Cr.No.10 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the defacto complainant is an Executive Officer of Arulmigu Sri Muthumalaiammal Temple, Mukkudal Village. The petitioner is an Arankavalar of the said temple and he collected money from the public by performing poojas and also from hundials and swindled the same. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The petitioner is A8 and other accused persons are granted anticipatory bail by the trial Court. However, on instructions, he would submit that the petitioner will deposit a sum of Rs.10,000/- before the Executive Officer.



4. The learned Government Advocate (Crl.Side) appearing for the State would submit that since the accused person agreed to make a deposit, this Court may pass appropriate orders.

5. Considering the facts and circumstances of this case and since the petitioner agreed to deposit a sum of Rs.10,000, 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, Tirunelveli, 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 their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.10,000/- before the Executive Officer, Arulmigu Sri Muthumalaiammal Temple, Mukkudal Village and produce the proof of the same before the Judicial Magistrate before execution of sureties.

(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 petitioners 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/-
28/02/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO I,
TIRUNELVELI.

2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, TIRUNELVELI.

4. THE EXECUTIVE OFFICER,
ARULMIGU SRI MUTHUMALAIAMMAL TEMPLE,
MUKKUDAL VILLAGE.

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

+1. CC to Mr.S.KRISHNAN Advocate SR.No.4053

ORDER

IN

CRL OP (MD) No.3149 of 2019

Date :28/02/2019

TK/PN/SAR-1/06.03.2019/3P/7C