



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

Monday, the Twenty Fifth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4143 of 2019

JEGADEESH PANDI

... PETITIONER/ SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TIRUNELVELI DISTRICT
Crime No.19/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.N.VIJAYARAJAN Advocate

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

For Intervenor : Mr.N.PRAGALATHAN Advocate

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 406, 408, 465, 468, 477(A), 381 of IPC in Cr.No.19 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner is the Accountant in the Defacto complainant polytechnic college. The defacto complainant filed a complaint before the respondent police stating that the petitioner had misappropriated a sum of Rs.36,22,460/- from the polytechnic. Hence the complaint

3. The learned counsel appearing for the petitioner would submit that the petitioners have not committed any offence as alleged by the prosecution. However, the learned counsel on instruction further submit that he is ready to deposit Rs.3,00,000/- to the credit in crime number without prejudice to his rights and contentions.



4. The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. side) appearing for the respondent police would submit that earlier five anticipatory bail was dismissed by this Court, however if the petitioner is ready to deposit some amount, anticipatory bail may be considered.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners have come forward to deposit some amount in crime number, 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. 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 is directed to deposit Rs. 3,00,000/- to the credit in Crime No. 19 of 2017 on the file of the learned Judicial Magistrate No. I, Tirunelveli and on such deposit the learned Magistrate shall accept the sureties.

(b) the petitioner and the sureties shall affix their photographs 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;

(c) the petitioner shall report before the respondent police daily at 10.30 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



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

sd/-
25/03/2019

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

TO

1. THE JUDICIAL MAGISTRATE NO I,
TIRUNELVELI.
 2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
 3. THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TIRUNELVELI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.N.PRAGALATHAN Advocate SR.No.5457

ORDER
IN
CRL OP (MD) No.4143 of 2019
Date :25/03/2019

TK/PN/SAR-2/27.03.2019/3P/6C