



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

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21732 of 2018

SELVARANI

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE

CANTONMENT POLICE STATION,

TRICHY

CRIME NO.1903/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.SENTHIL KUMAR, 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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 506(i) of I.P.C., in Crime No.1903 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that one Baskar was working as a casual Labour in the Subramanipuram Co-operative Bank, Trichy, and he was looking after computer works and he had misappropriated the amount of Rs.16,00,000/- to the account of of the petitioner/Selvarani/A2, and one Vigneswaran/A3. After knowing the misappropriation of fund, the Manager of the said Bank lodged a complaint. Hence a case has been registered against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner the petitioner agreed to pay a sum of Rs.3,00,000/- and she had only paid Rs.50,000/- to the Bank. He would further submit that the petitioner is ready to deposit the balance amount of Rs.2,50,000/- if the sufficient time is given. Hence, he prays for grant of anticipatory bail to the petitioner.

4.Heard the learned Government Advocate (Criminal Side) for the respondent.



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.II, Trichy, 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] the petitioner shall appear before the respondent police weekly once I.e. every monday at 10.30 a.m. until further orders.

[b] the petitioner is directed to pay a sum of Rs.1,25,000/-, at the time of execution of surety and thereafter, Rs.1,25,000/- shall be paid after a period of fifteen days, failing which, this Order shall stand automatically cancelled.

[c] The Concerned Magistrate is directed to handover the money, which is deposited by the petitioner to the defacto complainant on filing necessary petition before the Court.

[d] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

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

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

[g] 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 herself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

sd/-
29/01/2019

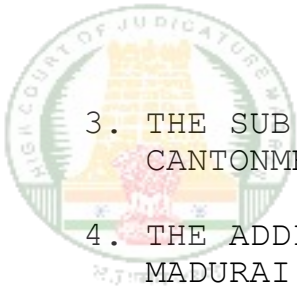
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II, TRICHY.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.



3. THE SUB INSPECTOR OF POLICE
CANTONMENT POLICE STATION, TRICHY.

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

+1. CC to MR.T.SENTHIL KUMAR Advocate SR.No.1685

ORDER

IN

CRL OP (MD) No.21732 of 2018

Date :29/01/2019

MS/PN/SAR-2/04.02.2019/3P.6C