

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Eighth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3365 of 2020

PUNITHA

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS [RESPONDENT]
THE STATION HOUSE OFFICER,
DISTRICT CRIME BRANCH, THIRUVLLUR,
THIRUVALLUR DISTRICT
(CRIME NO.12/2013)

For Petitioner : M/S. D.DAYALAN Advocate

For Respondent : MR.C.IYYAPPARAJ, 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 alleged offence under Sections 409, 468, 477(A) of IPC, in Crime No.12 of 2013, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there are misappropriation of funds during inspection by the defacto complainant (Project Manager) at village Poverty Eradication Association (Grama Varumai Ozhipu Sangam). Hence the complaint was registered.

3.The learned counsel appearing for the petitioner/A2 submitted that the petitioner is an innocent person and she has been falsely implicated in this case. he would further submit that though summons has not been served, the Investigation Agency has shown the petitioner as an absconding accused in the final report. Therefore, the petitioner apprehends for arrest. Hence, he prays to grant anticipatory bail to the petitioner/A2.

4.The learned Additional Public Prosecutor would submit that charge sheet has been laid and it is yet to be taken on file.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruttani, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 Court concerned 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 as and when required for interrogation;

(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/-

28/02/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
TIRUTTANI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR(FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

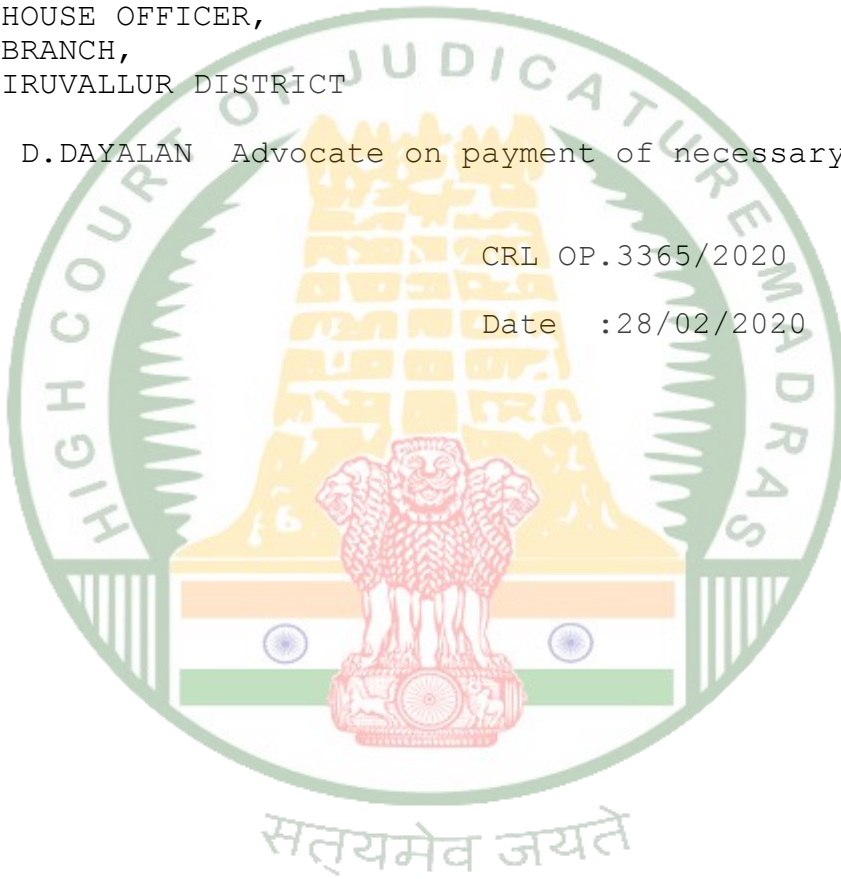
4 THE STATION HOUSE OFFICER,
DISTRICT CRIME BRANCH,
THIRUVLLUR, THIRUVALLUR DISTRICT

CC to M/S. D.DAYALAN Advocate on payment of necessary charges
sr.2970

CRL OP.3365/2020

Date :28/02/2020

RVR 03/03/2020



WEB COPY