



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

Date : 26/06/2020

PRESENT

The Hon'ble Mr.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.6283 of 2020

P.Boobalan

... Petitioner/Accused
Rank not known

Vs

1. The Superintendent of Police,
Commercial Crime Investigation Wing,
O/o. Director General of Police,
Chennai.
2. The Inspector of Police,
Commercial Crime Investigation Wing,
Tiruchirapalli.
(Ref.Cr.No.not known of 2020). ... Respondents/Complainants

For Petitioner : M/s.D.Shanmugaraja Sethupathi,
Advocate.

For Respondents : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.not known of 2020 on the
file of the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 120(B),

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408, 409, 420, 465, 467, 468, 471 and 477 (A) r/w 109 of I.P.C., in Crime No. Not known of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that the Deputy Registrar of Cooperative Societies, Musiri, has ordered to conduct inspection. After conducting inspection, the Enquiry Officer has submitted his Inspection report dated 16.08.2019. The crux of the allegation found in the Inspection Report is that there were some financial irregularities in the YM.37, Thuraiyur Panchayat Union Teachers and Employees Co-operative Thrift and Credit Society.

4.The learned counsel for the petitioner would submit that the petition enquiry is going on. Pending surcharge proceeding under the Tamil Nadu Cooperative Societies Act, the petitioner has remitted a sum of Rs.11,17,000/- without prejudice to the rights and contentions and the receipt has also been filed before this Court. As per the show cause notice, the entire amount is roughly Rs.12,00,000/-. Further, the learned counsel, on instructions from the petitioner, would submit that without any prejudice to his rights and contentions, the petitioner is ready to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in cash to the credit of the society.

5.Taking into consideration of the fact that as against the alleged misappropriation of Rs.12,00,000/-, the petitioner has already deposited a sum of Rs.11,17,000/- and on condition that he must co-operate for investigation and he shall not abscond, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions:-

(i) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Musiri and on his executing 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 learned Magistrate concerned;

(ii)The petitioner is directed to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), in cash to the credit of the society, without prejudice his rights and contentions.

(iii) The petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required, for interrogation.

(iv) 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



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

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

8. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-
26/06/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, MUSIRI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING,
O/O DIRECTOR GENERAL OF POLICE,
CHENNAI.
4. THE INSPECTOR OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING,
TIRUCHIRAPALLI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6283 of 2020
Date :26/06/2020

CP
TE/VR/SAR-II : 30/06/2020 : 3P/6C

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