



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

Date : 27/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.13524 of 2020

Aarayee,
(Name as found in the FIR)

... Petitioner/3rd Accused

Vs

The State, Rep.by,
The Inspector of Police,
Commercial Crime Investigation Wing,
Tiruchirappalli.
Ref: Crime No. 2 of 2020.

... Respondent/Complainant

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

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

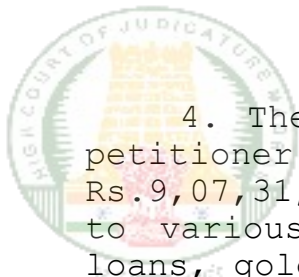
PRAYER :-For Bail in Crime No.2 of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 21.10.2020 for the offences punishable under Sections 120(B), 467, 468, 471, 477(A), 408, 409 and 420 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner along with other accused persons had embezzled a sum of Rs.9,07,31,632/- by way of manipulating the loan documents related to various schemes like loans to self help groups, agricultural loans, gold loans along with the amount deposited in other accounts in the Varatharajapuram Agricultural Co-Operative Society.

3.The learned counsel for the petitioner would submit that the petitioner is only working as a cashier and she has been falsely implicated in this case. He would also submit that co-accused in this case were granted bail by this Court.



4. The learned Government Advocate(Crl.Side) would submit that petitioner along with other accused persons had embezzled a sum of Rs.9,07,31,632/- by way of manipulating the loan documents related to various schemes like loans to self help groups, agricultural loans, gold loans along with the amount deposited in other accounts in the Varatharajapuram Agricultural Co-Operative Society. He would also submit that the respondent attached the property belonging to the petitioner worth about Rs.25 lakhs pursuant to the Crime No.02 of 2020.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that property belonging to the petitioner worth about Rs.25 lakhs was attached to the crime number, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Musiri, Tiruchirapalli District

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

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

sd/-

27/11/2020

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE, MUSIRI
- 2.DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT
- 3.THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, TIRUCHIRAPPALLI.
- 4.THE INSPECTOR OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING,
TIRUCHIRAPPALLI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13524 of 2020
Date :27/11/2020

AAV
PK/AKM/SAR-IV/30.11.2020 : 3P/6C