



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.5590 of 2021

NEDUMARAN

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

INSPECTOR OF POLICE,
THITTACHERRY POLICE STATION,
NAGAPATTINAM DISTRICT.
CR.NO.123 OF 2021

For Petitioner : M/S. K.BALU Advocate

For Respondent : M/S.S.KARTHIKEYAN, 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 477(A), 465, 468 and 420 of I.P.C. in Cr.No.123 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner while working as the General Panchayat Union Officer at Thirumarugal is alleged to have mis-used his position and manipulated the cheques and mis-appropriated a sum of Rs.1,10,000/- from the account of the office.

3. The learned counsel appearing for the petitioner submitted that the petitioner has deposited the entire alleged amount to the Office of the Block Development Officer.

4. The learned Additional Public Prosecutor submitted that if the entire alleged amount has been deposited by the petitioner, this Court may consider for grant of anticipatory bail to the petitioner.

5. Considering the fact that entire alleged amount has been deposited by the petitioner, 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 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.II, Nagapattinam, 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 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 daily at 10.30 a.m. until further orders;

(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 petitioners 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/-
16/04/2021

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,
NO.II, NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THITTACHERRY POLICE STATION,
NAGAPATTINAM DISTRICT.

+1 CC to M/S. K.BALU Advocate on payment of necessary charges
SR.No.4905

CRL OP.5590/2021

Date :16/04/2021

cs 19/04/2021