

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.06.2021

CORAM :

THE HON'BLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.13880, 14006, 14265, 14710,
14920, 15217 and 16815 of 2020

D.Jayasankar ... Petitioner in
Crl.O.P.No.13880 of 2020

1. G.Nagaraj ... Petitioners in
2. R.Ashok Crl.O.P.No.14006 of 2020

1. G.Kulasekaran ...Petitioners in
2. A.Suresh Crl.O.P.No.14265 of 2020
3. R.Krishnan
4. R.Sarasu
5. Muthal
6. Bharathi Baskaran
7. V.Govinthan
8. Markku
9. Rajaram
10.N.Balakrishnan

A.Sankaramoorthy ...Petitioner in
Crl.O.P.No.14710 of 2020

1. Uma ...Petitioners in
2. Chakkaravarthi Crl.O.P.No.14920 of 2020

M.Prabishkumar ...Petitioner in
Crl.O.P.No.15217 of 2020

Manju ...Petitioner in
Crl.O.P.No.16815 of 2020

Vs.

State by ...Respondent in all Crl.O.Ps
The Inspector of Police,
CCIW CID, Thiruvannamalai
Thiruvannamalai District.
(Crime No.2 of 2020)

PRAYER: Criminal Original Petitions are filed under Section 438 of
Cr.P.C., to enlarge the petitioners on bail in the event of their
arrest in Crime No.2 of 2020 on the file of the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

For Petitioners : Mr.C.Prakasam
(Crl.O.P.Nos.13880 and 14006 of 2020)
: Mr.V.Jaisankar
(Crl.O.P.No.14265 of 2020)
: Mr.M.S.Palaniswamy
(Crl.O.P.No.14710 of 2020)
: Mr.B.Jawahar
(Crl.O.P.No.14920 of 2020)

: Mr.G.Sankaran
(Crl.O.P.No.15217 of 2020)
: Mr.K.S.Kaviarasu
(Crl.O.P.No.16815 of 2020)

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 408, 409, 465, 468, 471, 477A, 420, 109 and 120B IPC, in Crime No.2 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had misappropriated funds of the Agricultural Co-op Society to the tune of Rs.37,50,848. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the entire amount has been recovered from the respective employees. Hence, he prays for grant of anticipatory bail to the petitioners.

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

5.Considering the fact that the entire amount has been recovered, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are 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 -II, Thiruvannamalai, on condition that each of 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

© the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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/-

16/06/2021

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

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सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)

High Court, Madras - 600 104.

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TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CCIW CID,
THIRUVANNAMALAI,
THIRUVANNAMALAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. C.PRAKASAM Advocate on payment of necessary charges

+1 CC to M/S.G.SANKARAN, Advocate on payment of necessary
charges SR.NO.6622

+1 CC to M/S.B.JAWAHAR, Advocate on payment of necessary
charges SR.NO.6557

+1 CC to M/S.PALANISWAMY, Advocate on payment of necessary
charges SR.NO.6635

+2 CC to M/S.V.JAISANKAR, Advocate on payment of necessary
charges SR.NO.6540

Crl.O.P.Nos.13880, 14006, 14265,
14710, 14920, 15217 and 16815 of 2020

Date :16/06/2021

TA-02/07/2021



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