



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

Tuesday, the Thirty First day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15094 of 2021

RAGUL

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

(*) CCIW POLICE STATION,

KANCHEEPURAM, KANCHEEPURAM DISTRICT.

CR.NO.2 OF 2021

For Petitioner : M/S.B.KARTHIK NARAYANAN Advocate
(IN CRL.OP.NO.15094/2021)

For Petitioner : M/S.L.RAMU Advocate
(IN CRL.M.P.NO.11936/2021)

For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)
(IN CRL.OP.NO.15094/2021)

For Respondent : MR.S.BALAJI , Govt. Advocate (Crl. Side)
(IN CRL.M.P.NO.11936/2021)

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 **(*) 406, 477A and 109 IPC** in Cr.No.2 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 Cashier in the defacto complainant Somangalam Co-operative Society is alleged to have mis-appropriated funds to the tune of Rs.8,81,000/-.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The learned counsel, on instructions, further submitted that the petitioner has already paid a sum of Rs.7,83,000/- and



without prejudice to his rights, is ready to deposit the balance amount of Rs.98,000/- to the society.

4. Heard the submissions made by the learned Government Advocate (Crl. Side).

5. Considering the facts and circumstances of the case, 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 Court No.1, Chengalpattu, 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 shall deposit a sum of Rs.98,000/- (Rupees Ninety Eight Thousand Only) before the defacto complainant Somangalam Co-operative Society, within a period of fifteen days from the date of receipt of a copy of this order and submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/ acknowledgment shall accept the sureties furnished by the petitioner;

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;



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

WEB COPY

-sd/-

31/08/2021

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.

(*) Amended as per order of this Court made in CrI.M.P.NO.11936/2021 in CrI.OP.NO.15094/2021 dated 22/11/2021

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
C4, SOMANGALAM POLICE STATION,
KANCHEEPURAM, KANCHEEPURAM DISTRICT.

4 **(*) THE INSPECTOR OF POLICE
CCIW POLICE STATION,
KANCHIPURAM, KANCHIPURAM DISTRICT.**

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SECRETARY,
SOMANGALAM CO-OPERATIVE SOCIETY,
SOMANGALAM.

CC to M/S.B.KARTHIK NARAYANAN Advocate on payment of necessary charges Sr.9444

CRL OP.15094/2021

Date : 31/08/2021

RVR 08/09/2021

APN 30/11/2021



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