



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

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

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.14462 of 2021

A.KAMALANATHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING (CCIW),
KRISHNAGIRI.
CRIME.NO.2 OF 2021

[RESPONDENT]

For Petitioner : M/S. V.RAVICHANDRAN Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

For Intervenor : MR. M.S.PALANISAMY Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 408, 464, 471, 477 A and 120(B) of I.P.C 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/A23 alleged to have misappropriated the funds of the society to the tune of Rs.13,24,901/- Hence, the complaint was registered.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail. The learned counsel, on instructions, would further submit that the petitioners, without prejudice to their rights, the petitioner are ready to deposit the amount of Rs.13,24,901/- to the credit of the societies account. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner alleged to have misappropriated the funds of the society to the tune of Rs.13,24,901/-/-. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the fact that the petitioners are ready and willing to deposit Rs.13,24,901/- to the credit of the society account to the credit of societies account, 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, Krishnagiri , on condition that the petitioners shall execute a separate 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 shall deposit an amount of Rs.13,24,901/- within a period of four weeks from the date of receipt of a copy of this order to the credit of the societies account and produce the receipt before the Judicial Magistrate-II, Krishnagiri at the time of execution of sureties.

(b) 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;

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

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

(e) the petitioners 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.

-sd/-
31/08/2021

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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-II,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE,
KRISHNAGIRI DISTRICT (FOR INFORMATION).

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING (CCIW),
KRISHNAGIRI.

CC to M/S. V.RAVICHANDRAN Advocate on payment of necessary charges

CRL OP.14462/2021

Date :31/08/2021

INBA 16/09/2021