



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17850 of 2021

R.AMUDHA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
VIGILANCE ANTI-CORRUPTION,
CUDDALORE DISTRICT.
CR NO.7/2021.

[RESPONDENT]

For Petitioner : M/S.S.SAIRAMAN Advocate

For Respondent : M/S.C.E.PRATAP, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 167, 468, 471, 420 & 409 of I.P.C and Section 13(2)r/w 13(1)(c) of the Prevention of Corruption Act, 1988 in Crime No.7 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the subsidy received from the Government meant for cyclone victims were misappropriated by the Revenue Officials and the officials of the Agricultural Department in the year 2015. It is further alleged that petitioner herein who worked as Clerk/Secretary incharge, Kudiyamallur, Primary Agricultural Co-operative Credit Societies, Kurinjipadi Taluk, Cuddalore District, has disburbed the Government subsidy amount of Rs.48,600/- to one Devendran instead of one Devanathan who is the actual beneficiary. Based on the complaint lodged by one social activist, the respondent police had registered a case against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the person who received the amount had already deposited the amount in the said society and further no wrongful loss



caused to the society. Hence he prays for grant of bail.

4. A perusal of the materials available on record reveals that the person who received the amount had repaid the amount to the society and no wrongful loss has been caused to the society. Further, the Registrar of Co-operative Societies has filed a report, wherein it is stated that disciplinary action has been initiated against the petitioner by the said society.

5. Considering the facts and circumstances of the case since the wrongly disbursed amount was repaid to the society and as there is no wrongful loss caused to the society and further disciplinary action has also been initiated against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and she is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Chief Judicial Magistrate, Cuddalore, on condition that the petitioners 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) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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.

-sd/-
27/10/2021

WEB COPY

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 CHIEF JUDICIAL MAGISTRATE
CUDDALORE.

2 THE INSPECTOR OF POLICE,
VIGILANCE ANTI-CORRUPTION,
CUDDALORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

Copy To:

THE REGISTRAR OF CO-OPERATIVE SOCIETY,
170 N.V.NATARAJAN MALLIGAI,
PERIYAR EVR HIGH ROAD,
POONAMALLEE HIGH ROAD,
KILPAUK, CHENNAI-10.

+1 CC to M/S.S.SAIRAMAN Advocate on payment of necessary
charges SR.NO.11889

CRL OP.17850/2021

Date :27/10/2021

TA-15/11/2021