



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

CrI.O.P.No.21519 of 2021

Ranjan

... Petitioner

Vs.

State by
The Sub - Inspector of Police,
C.C.I.W. Police Station,
Thiruvannamalai District,
Tamil Nadu 606 604.
Crime No.2 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.2 of 2021 on the file of the respondent.

For Petitioner : Mr.P.K.Ilavarasan

For Respondent : Mr.N.S.Suganthan

O R D E R

The petitioner who apprehends arrest for the alleged offence under Sections 408, 467, 471, 477A of IPC in Crime No.2 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that defacto complainant lodged a complaint before the respondent police stating that petitioner herein working as a salesman in one Government Ration Shop bearing registration No. 1, Vengikkal Pudoor, Thiruvannamalai, during the course of his employment, the petitioner has misappropriated the public rations and other essential consumables to the tune of Rs. 5,25,575/- . Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is no way connected in this case and he further submits that the due to the vengeance motive, the higher officials falsely foisted a case against the petitioner. However, on instructions, the learned counsel further submits that the petitioner, on his own volition, is ready and willing



to deposit a sum of Rs.50,000/- to the credit of Crime No.2 of 2021 on the file of the respondent police. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent opposed for granting anticipatory bail to the petitioner by stating that the petitioner is sole accused and he has misappropriated the public rations and consumables to the tune of Rs.5,25,575/-.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.50,000/- to the credit of crime number on the file of the respondent police, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-II, Thiruvannamalai, on condition that the petitioner shall execute a bonds 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner shall make a non-refundable deposit of Rs.50,000/- to the credit of Crime No. 2 of 2021 on the file of the respondent police within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to report before the respondent police daily at 10.30a.m for a period of four weeks and thereafter as and when required for interrogation;

[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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

22/11/2021

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, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE SUB-INSPECTOR OF POLICE,
C.C.I.W. POLICE STATION,
THIRUVANNAMALAI DISTRICT,
TAMIL NADU 606 604.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.K.ILAVARASAN Advocate on payment of necessary charges SR.NO.13174

CRL OP.21519/2021

Date :22/11/2021

RW 01/12/2021