



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM

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

Crl.O.P.No.24225 of 2021

K.Kalaivani

... Petitioner

Vs.

The Sub-Inspector of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.
(Crime No.34 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No.34 of 2021 on the file of the respondent police.

For Petitioner : Mr.C.Prem Kumar

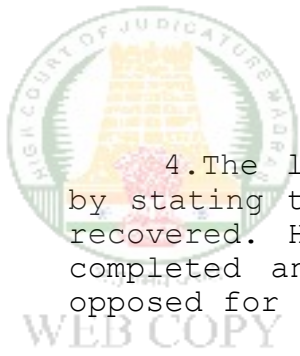
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

O R D E R

The petitioner, who apprehends arrest for the alleged offence under Sections 408 and 420 of IPC in Crime No.34 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working in the Postal Department and she has misappropriated public money in a sum of Rs.3,60,500/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that as per records, the petitioner was charged that she has committed misappropriation of public money to the tune of Rs.23,100/-. But the postal authority directed her to deposit a sum of Rs.3,60,000/- into post office account under UCR (Unclassified Receipt). Under compulsion and threat of police complaint, she has credited the said amount of Rs.3,60,000/- into post office account. Therefore, he prayed for anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. side) raised objection by stating that the misappropriated amount involved in this case was recovered. He would further state that the investigation is almost completed and she was also suspended from service. However, he opposed for granting anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsels and taking note of the fact that she deposited the amount, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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-I, Cuddalore on condition that each of the petitioner shall execute separate 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 and on further condition that:

(a) 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;

(b) the petitioner shall report before the respondent police on every Wednesday and Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

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

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory 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/-

16/12/2021

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.I, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
CUDDALORE DISTRICT, CUDDALORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.PREM KUMAR Advocate on payment of necessary charges
Sr.14890

CRL OP.24225/2021

Date :16/12/2021

RVR 21/12/2021