



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 20/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.4610 of 2021

M.Arumugam

... Petitioner/4TH Accused

Vs

State through rep by
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No. 172/2021)

... Respondent/Complainant

For Petitioner : Mr.Senthoorpandi.P.,
Advocate.

For Respondent : Mr.Kr.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 172 of 2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 in Crime No.172 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that in an inspection conducted in Shop No.5273, it was found that a sum of Rs.21,07,810/- was misappropriated. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that the entire amount has been repaid by A1 and hence, he prayed for granting anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police filed a report of the Deputy Collector, North Madurai. In the said report it was stated that the entire amount was collected from A1.



5.It is seen from the submissions made that in an inspection conducted in Shop No.5273, it was found that a sum of Rs.21,07,810/- was misappropriated and now, the entire amount was collected from A1. Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioner.

7.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, Melur, 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 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.

[b]the petitioner shall report before respondent police daily at 10.30 am., until further orders.

[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 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]**.

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/04/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

1 CC to M/s.P.SENTHOORPANDI, Advocate (SR-3264[I] dated

ORDER

IN

CRL OP(MD) No.4610 of 2021

Date :20/04/2021

AMS/PN/SAR-2/27/04/2021/3P/6C