



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

Date : 19/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) Nos.5343, 5352 & 5375 of 2021

Crl.O.P. (MD)No.5343 of 2021:

Kennady Christhuraj ... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
CCIW CID, Trichy District.
Crime No.2/2021.

... Respondent/Complainant

Crl.O.P. (MD)No.5352 of 2021:

Kennady Christhuraj ... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
CCIW CID, Trichy District.
Crime No.1 of 2021.

... Respondent/Complainant

Crl.O.P. (MD)No.5375 of 2021:

V.R.Pattabiraman ... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
CCIW CID, Trichy District.
Crime No.1 of 2021.

... Respondent/Complainant

For Petitioner : Mr.T.Senthil Kumar, Advocate.
In CRL OP (MD) Nos.5343 & 5352 of 2021

For Petitioner : Mr.P.Thilakkumar, Advocate.
In CRL OP (MD) No.5375 of 2021

For Respondent : Mrs.Anandhadevi,
Government Advocate (Crl.Side)
in all the petitions



PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :- For Bail in Crime Nos.1 & 2 of 2021 on the file of the respondent Police

COMMON ORDER : The Court made the following common order :-

The petitioner in Crl.O.P.(MD)No.5343 of 2021, who was arrested on 26.03.2021 for the offences punishable under Sections 408, 477 (A), 471, 465, 468 IPC in Crime No.2 of 2021 on the file of the respondent police, seeks bail.

2.The petitioner in Crl.O.P.(MD)No.5352 of 2021, who arrested on 26.03.2021 for the offences punishable under Sections 408, 477 (A), 471, 465, 468 and 120(b) IPC in Crime No.1 of 2021 on the file of the respondent police, seeks bail.

3.The petitioner in Crl.O.P.(MD)No.5375 of 2021, who was arrested on 25.03.2021 for the offences punishable under Sections 120(B), 408, 465, 468, 471, 477(A) IPC in Crime No.1 of 2021 on the file of the respondent police, seeks bail.

4.The case of the prosecution is that the petitioner in Crl.O.P.(MD)Nos.5343 & 5352 of 2021 was working as Accountant in the Pullambadi Teachers Cooperative Society and he was also in additional charge of Assistant Secretary. The petitioner in Crl.O.P.(MD)No.5375 of 2021 was working as Secretary in the above said Society and they were said to have conspired together and misappropriated loan credit amount, without making proper entries to the tune of Rs.47,90,595/- and Rs.22,00,368/- respectively. Hence, the present complaints.

5.The learned counsel for the petitioners would submit that the petitioners paid the misappropriated amount along with interest.

6.The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the petitioners misappropriated the loan amount and now, the said amount was repaid by the petitioners along with interest.

7.Taking into consideration the facts and circumstances of the case and also taking note of the fact that the misappropriated amount was repaid by the petitioners along with interest, this Court is inclined to grant bail to the petitioners.

8.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/-(Rupees ten thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Trichy and on

<https://hccservices.com/bail-services> that:



[a]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 petitioners shall report before the respondent police on every Monday 10.30 am., until further orders.

[c]the petitioners shall not abscond either during investigation or trial.

[d]the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

19/04/2021

/ TRUE COPY /

/ /2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.
TO

1. THE JUDICIAL MAGISTRATE NO.V, TRICHY.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 4. THE INSPECTOR OF POLICE,
CCIW CID, TRICHY DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1CC TO Mr.P.Thilakkumar, Advocate, SR NO.3215

ORDER IN

CRL OP(MD)Nos.5343, 5352 & 5375 of 2021

Date :19/04/2021

GNS

<https://hns.cjs.mca.gov.in/hcservices/418/IN/2021/3P.7C>