



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11809 of 2022

K.CHANDRAN

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
CCIW CID,  
THIRUVANNAMALAI,  
THIRUVANAMALAI DISTRICT.  
CRIME NO.2/2020

[ RESPONDENT ]

For Petitioner : M/S.A.JAYANTHI Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 27.04.2022, for the alleged offence under Sections 408, 409, 465, 471, 477(A), 420, 109 and 120B of IPC in Crime No.2 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that all the accused persons, who were in-charge of running a Credit Society, committed misappropriation to the tune of Rs.37,50,848/- during the period from 21.09.2015 to 31.12.2018. There are totally 24 accused persons in this case and the petitioner has been arrayed as A14.

3. The petitioner already filed an anticipatory bail before this Court in CrI.O.P.No.13053 of 2021. The said petition was allowed with a condition that the petitioner should deposit a sum of Rs.1,00,000/-



(Rupees One Lakh only). Since, the petitioner has not complied with the above condition, the petitioner was subsequently arrested and remanded to judicial custody.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

5. In the present case, a portion of the amount has already been recovered by the respondent police. Many of the accused persons have already been granted anticipatory bail. The petitioner was not able to comply with the conditional order passed by this Court, while granting anticipatory bail. Therefore, the anticipatory bail got cancelled and the petitioner was arrested. The petitioner has already suffered incarceration for nearly 23 days. No useful purpose will be served in keeping the petitioner behind bars and he can be made to comply with the stringent conditions.

6. In view of the above, this Court is inclined to enlarge the petitioner on bail subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate No.II, Tiruvannamalai, and on further conditions 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 petitioner shall report before the respondent police daily at 10.30 a.m., 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 absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-  
19/05/2022

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, THIRUVANAMALAI.

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

3 THE OFFICER INCHARGE,  
SUB JAIL, THIRUVANAMALAI.

4 THE INSPECTOR OF POLICE, CCIW CID,  
THIRUVANAMALAI, THIRUVANAMALAI DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.A.JAYANTHI Advocate on payment of necessary charges  
SR.NO. 7510

CRL OP.11809/2022

Date :19/05/2022

RW 19/05/2022