



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 G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12185 of 2022

N.NAVANEETHAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CCIW, KANCHEEPURAM.
(CRIME NO.1 OF 2022)

[RESPONDENT]

For Petitioner : M/S.S.SURESH Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 477A and 109 of IPC in Crime No.01 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused persons have misappropriated funds from the Society to the tune of Rs.7,26,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that in this regard the enquiry was conducted and concluded that a sum of Rs.3,27,293/- were misappropriated by three accused persons. Insofar as the petitioner is concerned she was working as an Office Assistant and she has nothing to do as alleged by the prosecution.

4. The learned Additional Public Prosecutor would submit that the the petitioner along with other accused persons have misappropriated to the tune of Rs.7,26,000/- and as such her custodial interrogation is very much required in this case. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. It is seen from the enquiry report submitted, on the enquiry conducted under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983 revealed that a sum of Rs.3,27,293/- have been misappropriated by the accused persons. After collection of that amount from the borrowers, it was not accounted and misappropriated by the accused persons. Insofar as the petitioner is concerned, she is arrayed as second accused and she was working as an Office Assistant in Melvalasai Thodakkavelanmai Co-operative Sangam, Neerpeiyar Village and Post, Maduranthagam Taluk, Chengalpet District.

6. However, the learned counsel for the petitioner would submit that the petitioner is ready and willing to deposit a sum of Rs.3,50,000/- (Rupees Three Lakh Fifty Thousand only) to the credit of Crime No.01 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

7. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is directed to deposit a sum of Rs.3,50,000/- (Rupees Three Lakh Fifty Thousand only) to the credit of Crime No.01 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate No.1, Chengalpet 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, failing which, the petition for anticipatory bail shall stand dismissed 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 deposit a sum of Rs.3,50,000/- (Rupees Three Lakh Fifty Thousand only) to the credit of Crime No.01 of 2022 before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.



[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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].

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

-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.I, CHENGALPET, .

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CCIW, KANCHEEPURAM.

a
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.SURESH Advocate on payment of necessary charges
SR.No.7492

CRL OP.12185/2022

Date :19/05/2022

CSK 25/05/2022