



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D. BHARATHA CHAKRAVARTHY

CRIMINAL ORIGINAL PETITION Nos. 12599 & 12604 of 2022

K.SUBRAMANIYAN [PETITIONER / ACCUSED
IN CRL.O.P.No.12599/2022]

S.SURESH [PETITIONER / ACCUSED
IN CRL.O.P.No.12604/2022]

Vs

STATE REP BY [RESPONDENT
THE STATION HOUSE OFFICER, IN BOTH THE PETITIONS]
CCIW-CID, CUDDALORE DISTRICT
CUDDALORE
CRIME NO.4/2022

For Petitioner : M/S.R.MD.NASRULLAH Advocate
[IN BOTH THE PETITIONS]

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners were arrested and remanded to judicial custody on 28.04.2022 for the alleged offence under Sections 120(b), 408, 468, 471, 477(A) of I.P.C. in Crime No.4 of 2022 on the file of the respondent police respectively, seek bail.

2. The case of prosecution is that upon conduct of enquiry under Sec.81 of Tamil Nadu Cooperative Societies Act, it is revealed that the petitioners while joining hands with other accused in this case, have siphoned off the money belonging to Co-operative Society by



falsification of accounts by showing as if loans have been granted in the name of deceased members, and members, who have been shown to be granted loan, but, without giving actually.

3. Learned counsel appearing for petitioners would submit that the identically placed accused was granted bail by this Court in CrI.O.P.No.11288 of 2022.

4. Learned Addl. Public Prosecutor appearing for respondent would oppose by submitting that even though identical accused has been granted bail, the entire amount belonging to the Co-operative Society remains to be recovered.

5. Considering the submissions of both sides and considering the nature of allegations and the fact that the petitioners were arrested and they were in judicial custody from 28.04.2022, this Court is inclined to enlarge the petitioners on bail.

6. Accordingly, the petitioners are ordered to be released on bail on his 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.2, Panruti, on the following further conditions:-

[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 daily at 10.30 a.m, until further orders.

[c] the petitioners shall furnish immovable property as security worth of Rs.5,00,000/- (Rupees five lakhs only) each before the trial court.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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.



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

WEB COPY

-sd/-

26/05/2022

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, PANRUTI.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON,
CUDDALORE (CAPPER HILLS)

4 THE STATION HOUSE OFFICER,
CCIW-CID, CUDDALORE DISTRICT
CUDDALORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.D.BASKAR Advocate on payment of necessary charges
SR.NO. 7876

CRL OP.Nos. 12599 & 12604 /2022

Date :26/05/2022

RW-26/05/2022