



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 M. NIRMAL KUMAR
CRIMINAL ORIGINAL PETITION No.12581 of 2022

ELAVARASAN
ACCUSED]

[PETITIONER /

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
CCIW, CUDDALORE DIST.
CRIME NO.4 OF 2022.

For Petitioner : M/S.KRISHNASAMY CHINNASAMY Advocate

For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)

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 offence punishable under Sections 120-B, 408, 468, 471, 477-A of IPC in Crime No.04 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons conspired together and fabricated documents and have misappropriated to the tune of Rs.1.59 crores. There are totally 20 accused persons in this case and the petitioner has been arrayed as A18.

3. According to the petitioner, the petitioner worked as Circle Supervisor till 07.06.2017 and that he has been falsely implicated in this case and no surcharge proceedings initiated against him. Hence, he seeks anticipatory bail.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

5. Considering the fact that though the petitioner faced enquiry under section 81 of the Co-operative Societies Act, but no surcharge proceedings initiated against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of 15 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Panruti, on the 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 learned Magistrate concerned, failing which the anticipatory bail shall stand cancelled 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d) the petitioner shall report before the respondent police for two weeks and thereafter as and when required.

(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]; and;

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-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 (FOR INFORMATION)

3 THE INSPECTOR OF POLICE
CCIW, CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.KRISHNASAMY CHINNASAMY Advocate on payment of
necessary charges SR.NO.7922

CRL OP.12581/2022

Date :26/05/2022

RVR 27/05/2022