



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.14009 of 2022

D.Umamaheswari

..Petitioner

Vs.

State represented by
The Inspector of Police,
CCIW Police,
Vellore
crime No.3 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.3 of 2022 pending investigation on the file of the respondent police.

For Petitioner

: Mr.L.P.Shanmugasundaram

For Respondent

: Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2022 for the offence punishable under Sections 409, 465, 467, 468, 471, 477(a) of IPC in crime No.3 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner was working as Manager of the Vellore Central Co-operative Bank, Gudiyatham Branch and the allegation is that in the name of fictitious persons, loan was granted to the Women's Self Help Groups to the tune of R.97,37,000/-. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has no role to play in the issuance of the loan to the Self Help Groups. Further, the petitioner who was working as Manager, is only a sanction authority, that too, after verification of the files from the Assistant Manager and Cashier. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that in respect to the allegation, surcharge proceedings have been initiated and five properties of the petitioner have been attached. He would further submit that nearly a sum of 8,00,000/- was recovered from the petitioner.

5. It is seen that the petitioner is the single accused and when she was working as Manager of the Vellore Central Cooperative Bank, Gudiyatham Branch, she misappropriated the society fund to the tune of about Rs.97,37,000/-. While she was arrested, about Rs.8,00,000/- was recovered from the petitioner. That apart, in the surcharge proceedings, five properties belong to the petitioner were attached.

6. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of arrest i.e. 21.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Vellore 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. and 05.30 p.m. until further orders.

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

[d] the petitioner 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 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/-

20/06/2022

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, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 INSPECTOR OF POLICE,
CCIW POLICE,
VELLORE .

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S L.P.SHANMUGASUNDARAM Advocate on payment of
necessary charges SR.NO. 9488

CRL OP.14009/2022

Date :20/06/2022

RW-20/06/2022