



Crl.O.P.No.16262 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120B, 408, 471, 477A IPC in Crime No.5 of 2022 on the file respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a sales man in Sirumangalam Primary Agriculture Co-operative Society and he misappropriated a sum of Rs.14,58,330/- between the period of 26.05.2019 to 03.01.2020 which caused huge loss to the society. Based on the proceedings issued by the Deputy Registrar of Co-operative society, 81 enquiry was conducted and the report sent to the concerned authority. Hence, this complaint.

3. The learned counsel appearing for the petitioner submitted that based on the false information given by the defacto complainant, the case



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has been registered. He further submitted that the petitioner is not at all connected with the said offence and he was falsely implicated in this case. Hence he prays for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner misappropriated a sum of amount, which caused loss to the Co-operative society. Therefore, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also taking note of the fact that the custodial interrogation of the petitioner is not required in this case, therefore, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned



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Judicial Magistrate-II, Panruti, Cuddalore District, on condition that the petitioner shall execute separate 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 conditions 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 report before the respondent police daily at 10.30 A.M., for a period of four weeks thereafter as and when required for interrogation.

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

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed



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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]**.

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

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