



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.28580 of 2014

P.SHANMUGAMOORTHY

[PETITIONER / ACCUSED]

Vs

THE SPECIAL SUB-INSPECTOR OF POLICE, [RESPONDENT]
SALEM CRIME BRANCH POLICE STATION,
SALEM DISTRICT
CRIME NO.78 OF 2014

For Petitioner : M/S.M.VIJAY ANAND, 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 for the alleged offences under Section 409 IPC in Crime No.78 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner who is working in the temple has not remitted Rs.21,000/- in the Bank account. A complaint has been given by the Executive Officer of the Temple.

3. The learned counsel for the petitioner submitted that this Court by order dated 20.10.2014 granted interim bail to the petitioner on certain conditions. Thereafter, as directed by this Court, the petitioner had deposited a sum of Rs.21,000/- in the bank account of the Temple. Hence, seeks for anticipatory bail.

4. In view of the above submission, the interim bail granted to the petitioner in CrI.OP.No.28580 of 2014 dated 20.10.2014 is made absolute on the following conditions;



[a] the petitioner shall report before the respondent police as and when required for interrogation.

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

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

[d] 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].

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

-sd/-

29/06/2022

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.I, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE SPECIAL SUB INSPECTOR OF POLICE,
SALEM CRIME BRANCH POLICE STATION,
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.SREE SUN ASSOCIATES Advocate on payment of necessary charges

CRL OP.28580/2014

Date :29/06/2022

JPA 06/07/2022