



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.5580 of 2022

Veerapandi

... Petitioner/4th Accused

Vs.

State rep.by
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.62 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Muniyandi.S., Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.62 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 409, 379 (NH) of IPC, in Crime No.62 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as per the Mahatma Gandhi Rural Development Scheme in the concerned Village, amount was sanctioned for putting up Village Service Buildings. The petitioner is the contractor, namely, Veerapandi and he took up the work on the contract basis and disconnected the same after putting up partial construction. However, he made a complaint that Rs.1.5 lakhs amount was not paid to him and on that basis he filed a writ petition in W.P(MD).No.21218 of 2018 before this Court. Because of the



discontinuation of work, by this petitioner, another contractor, namely, Anbu completed the said Work. The further allegation against this petitioner is that he has taken away M-book, which belonged to the Panchayat Board.

3. The learned counsel for the petitioner submits that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution, but he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. side) appearing for the respondent police submitted that during the course of enquiry, it was found that no proper amount was paid to the petitioner and also found that the above said amount was misappropriated by the employees. So far as the M-Book is concerned, it is available with the hands of the Block Development Officer.

5. On perusal of CD file, it shows that there is no specific allegation has been made against this petitioner. Now, the allegation made against this petitioner that he has taken away M-Book, which is also false and the said book is available with the Block Development Officer.

6. Considering the facts and the circumstances of this case and there is no specific allegation has been made against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Elayangudi, and on his executing 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; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
11/08/2022

/ TRUE COPY /

/08/2022

Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
ELAYANGUDI.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
ELAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.MUNIYANDI.S. Advocate SR.No.8566

ORDER
IN
CRL OP(MD) No.5580 of 2022
Date :11/08/2022

SP/PN/SAR II/26/08/2022/3P/6C