



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/04/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.6933 of 2022

N.Satheesh

... Petitioner/Accused No.1

Vs

State represented by
The Inspector of Police,
District Crime Branch,
Karur.

(Crime No.10 of 2022)

... Respondent/Complainant

For Petitioner : Mr.N.Shanmugaselvam,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

For Intervenor : Mr.Sulthan Basha, Advocate

PETITION FOR BAIL Under Section 439 of Cr.P.C.

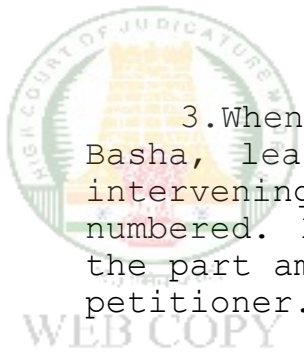
PRAYER :-

For Bail in Crime No.10 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.1, who was arrested and remanded to judicial custody on 23.03.2022 for the offences punishable under Sections 120 (b), 406 and 420 IPC, in Crime No.10 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was working in Assai Food Products for the past 17 years under the defacto complainant and on information, the defacto complainant verified the bank statement of the petitioner and found that the petitioner has misappropriated the defacto complainant's company money. Hence, the complaint.



3. When the matter is taken up for hearing today, Mr. J. Sulthan Basha, learned counsel would submit that he has already filed an intervening petition in the present case and the same is yet to be numbered. He would further submit that the petitioner has settled the part amount and that they have no objection to grant bail to the petitioner.

4. The learned counsel for the petitioner would submit that the petitioner undertakes to pay the remaining amount, after coming out on bail.

5. The learned Additional Public Prosecutor would submit that the petitioner is not having any previous cases.

6. Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 23.03.2022, that the petitioner has already settled the part amount to the defacto complainant and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial;

(v) 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]***.

(vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

19/04/2022

/ TRUE COPY /

19/04/2022

Sub-Assistant Registrar (C.S.)
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.

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.II,
KARUR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KARUR.

4 THE OFFICER INCHARGE,
SUB JAIL, KARUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.SHANMUGA SELVAM, Advocate (SR-3466[I] dated
19/04/2022)

ORDER
IN
CRL OP(MD) No.6933 of 2022
Date :19/04/2022

RS/VR/SAR.3 (19.04.2022) 3P-7C