



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/05/2022

PRESENT

WEB COPY

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD) . No.9387 of 2022

K.Nehruji

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
(FIR No.40/2022).

... Respondent/Complainant

For Petitioner : Mr.R.Murugappan
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2022 on the file of the respondent Police.

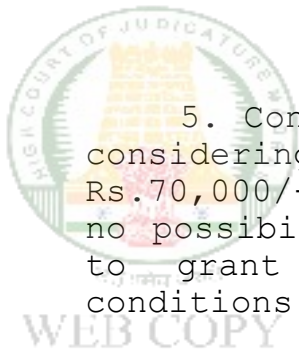
ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 465 and 420 IPC, in Crime No.40 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who was working as a Postman in the Postal Office, Virudhunagar, swindled the customers' deposited amount to the tune of Rs.70,000/-. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner has deposited a sum of Rs.70,000/-. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner along with other accused swindled the customers' deposited amount to the tune of Rs.70,000/-. However, he fairly submits that the petitioner has deposited a sum of Rs.70,000/-.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has deposited a sum of Rs.70,000/- and since the petitioner is still in service, there is no possibility of tampering with evidence, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Virudhunagar, Virudhunagar District, on condition that the petitioner shall execute 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 Magistrate concerned 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of three months and as and when required for interrogation.

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

[d] the petitioner shall not abscond 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]**.

sd/-
18/05/2022

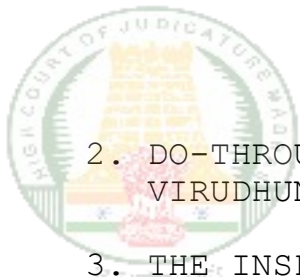
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/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT.

3. THE INSPECTOR OF POLICE,
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-4841[I] dated 19/05/2022)

ORDER

IN

CRL OP(MD) No.9387 of 2022

Date :18/05/2022

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USK/PN/SAR-IV/30.05.2022/3P/6C