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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.10904 of 2022

Velayutham

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
CCIW, Trichy,
Trichy District
(Crime No.4 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Karthikeyan 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. 4 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 408, 465, 468, 471, 477(A), 120(B) IPC, in Crime No.4 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that during the period of occurrence the petitioner was working as the Secretary and the second accused was working as President of the Thiruchirappalli House Building Society. During the period from 11.07.2018 to 01.12.2018, the accused persons had misappropriated of a sum of RS.2,90,000/-, without any vouchers, which was ear marked for fees to the Legal Advisors. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the second accused had already been released on bail and he had deposited a sum of Rs.50,000/- to the credit of this Crime number as per order of this Court in CrI.O.P.(MD)No.11051 of 2021 on 16.08.2021. The petitioner is under suspension from the date of complaint and now he is getting only subsistence allowance. The petitioner is also suffering from Cancer and he seeks some time to deposit the balance amount.

4. The learned Government Advocate (CrI. Side) for the respondent police submitted that the co-accused was already enlarged on bail and the second accused also deposited a sum of Rs.50,000/- to the credit of this Crime number.

5. Considering the above facts and circumstances of this case, nature of offence and the readiness of the petitioner to deposit the balance amount of Rs.2,50,000/- and the co-accused has already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed, subject to the condition that the petitioner shall deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the credit of Crime No.4 of 2021, on the file of the respondent police, within a period of one month, from the date of receipt of a copy of order.

7. On such deposit being made, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Trichy on condition that the petitioner shall execute 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
28/06/2022

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/07/2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.I,
TRICHY.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
CCIW, TRICHY, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.KARTHIKEYAN S Advocate SR.No.6315

ORDER
IN
CRL OP (MD) No.10904 of 2022
Date :28/06/2022

SP/JM/SAR IV/01/07/2022/3P/6C