



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28/09/2022

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PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17350 of 2022

Seeniammal

... Petitioner/2<sup>nd</sup> Accused

Vs

The State rep.by,  
The Inspector of Police,  
KV Nallur Police Station,  
Tenkasi District.  
Crime No.384 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sathesh Kumar.B, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,  
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.384 of 2022 on the file of the respondent Police.

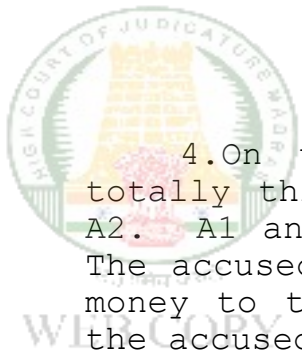
ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of respondent police for the offence punishable under Sections 420, 406, 465, 468, 471 IPC in Crime No.384 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Vice President in the Perumalpatti Panchayat. A1 is the President and A2 is the Clerk and A3 is the husband of A1. On 10.06.2022, the defacto complainant came to know that the accused persons were colluded together and forging her signature in the vouchers, thereby, cheated a sum of Rs.9,00,000/-. Hence, the complaint has been lodged.

3.On the side of the petitioner, it is stated that the petitioner is innocent and he has been falsely implicated in this case. In this case, he is arrayed as A2. He is noway connected with the offence. It is the dispute between A1 and the defacto complainant. He would further submit that the petitioner shall

<https://www.mca.gov.in/jdis> condition imposed by this Court.



4. On the side of prosecution, it is stated that there are totally three accused in this case. The petitioner is arrayed as A2. A1 and A3 are husband and wife and still they are absconding. The accused persons had colluded together and cheated the Panchayat money to the tune of Rs.9,00,000/-. No amount was recovered from the accused persons. Hence, prays to dismiss the petition.

5. Considering the facts and circumstances of the case and the overt act attributed against the petitioner and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.384 of 2022, before the Judicial Magistrate, Sankarankovil, without prejudice to her rights and contentions before the trial Court and produce the receipt before the trial Court.

7. On production of such receipt, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of **one month**, from the date of receipt of a copy of this order, before the Judicial Magistrate, Sankarankovil, 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 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.00 am until further orders;

(c) the petitioner shall not tamper with 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]*; and;



(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
28/09/2022

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/10/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE,  
SANKARANKOVIL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE  
KV NALLUR POLICE STATION, TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.SATHESH KUMAR, Advocate ( SR-10893[I] dated  
30/09/2022 )

ORDER  
IN  
CRL OP(MD) No.17350 of 2022  
Date :28/09/2022

PNM  
MK/SVR/SAR. /07.10.2022/3P/6C