



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/01/2022
PRESENT

The Hon`ble Mrs.Justice R. THARANI

CRL OP(MD). No.20455 of 2021

R.Mani ... Petitioner/Accused (Single)

Vs

The State rep.by
The Inspector of Police
C.C.I.W.
Ramanathapuram.
Crime No.8/2021).

... Respondent/Complainant

For Petitioner : M/s.ANAND.R, Advocate.

For Respondent : Mr.K.SANJAY GANDHI, Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.8 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 29.11.2021 for the alleged offence under Sections 408, 409, 465, 468, 471 and 477(A) of IPC, in Crime No.8 of 2021, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that he was working as a clerk (Additional charge) from 01.08.2016 in Konarikottai Primary Agricultural Thrift Society and he was in additional charge in the cadre of Secretary in N.N.181, Anjukottai Primary Agricultural Co-operative Thrift Society from 02.03.2019 to 05.11.2019. An enquiry was conducted under Section 81 of the Tamil Nadu Co-operative Societies Act. After enquiry, 4 charges levelled against the petitioner and a FIR was registered in Crime No.8 of 2021.

3.On the side of the petitioner it is stated that only two charges are made out against the petitioner is that the petitioner deposited the amount that belongs to the society along with the amount collected towards premium from the society members, and that he failed to note down the loan repayments made by the members in the ledger. It is also stated that the petitioner was arrested and remanded to judicial custody on 29.11.2021. Hence, he prays for grant of bail to the petitioner.

4.On the side of the respondent, it is stated that the petitioner has misused and misappropriated a sum of Rs.2,14,555/- and caused lose to the society and that the amount is not yet recovered from the petitioner. The petitioner is having one previous case of similar nature and prayed the petition to be dismissed.



5. On the side of the petitioner by way of reply it is stated that the previous case is for upgrading the society into A grade and that the staff get more salary by the upgradation.

6. It is seen that the petitioner is in judicial custody from 29.11.2021. Major portion of the investigation might have been completed by this time and all the allegations are based only on documentary evidence. In the above circumstances, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate No.I, Ramanathapuram, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

20/01/2022

/ TRUE COPY /

24/01/2022

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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE
C.C.I.W. RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.20455 of 2021

Date : 20/01/2022

SA/VR/SAR.2/24.01.2022/2P/6C