



Crl.O.P.No.3023 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120B, 408, 409, 467, 468, 471 and 477A of IPC, in Crime No.1 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the second accused with the help of the other accused involved in misappropriation of money belongs to Arcot Panchayat Union Teachers Employee Thrift and Credit Society to the tune of Rs.65 lakhs. Further it is alleged that the petitioner has paid Rs.15,31,516/- for which he is responsible. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submits that the petitioner herein is served as President of Arcot Panchayat Union Teachers Employee Thrift and Credit Society from 9.5.2013 to 30.04.2018. During this period, one Selvaraj,



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was appointed as writer by the competent authorities. Hence, he requested to provide him salary for Secretary and the said person was paid the salary of the Secretary and for such act, Rs.2,85,931/- has been caused loss to the society. He further submits that on 21.06.2021, the defacto complainant sent a proceedings to the petitioner and without prejudice, the petitioner paid a sum of Rs.5,31,516/- as demanded in the said proceedings. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with other accused involved in misappropriation of money belongs to Arcot Panchayat Union Teachers Employee Thrift and Credit Society totally to the tune of Rs.65 lakhs. He further submits that the petitioner has paid a sum of Rs.15,31,516/- with interest and the amount was settled with regard to this petitioner. He further submits that the investigation is almost completed. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the



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submissions made by the learned counsels, 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Vellore*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties and one surety must be a blood surety, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 on every Tuesday at 10.30 a.m., for a period of three months;



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[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 has been imposed and the petitioner is 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 absconds, a fresh FIR can be registered under Section 229-A IPC;

13.02.2023

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