



Crl.O.P.No.6487 of 2023

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A.D.JAGADISH CHANDIRA, J.

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

2. The case of the prosecution is that the accused, who are officials and elected member of the Arcot Panchayat Union Co-Operative Society and during the period 26.04.2014 to 26.03.2020, they had committed misappropriation of funds to the tune of Rs.59,55, 986/-. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was a Vice-President of the Society, during the period 2014 to 2020. He would submit that even as per the enquiry conducted by the department, the liability fixed on the petitioner is only Rs.2,40,000/-. He would submit that co-accused in this case has been granted anticipatory bail by this Court in Crl.O.P.No.2939



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of 2023 dated 14.02.2023. However, without prejudice, the petitioner is ready and willing to deposit a sum of Rs.2,40,000/- to the credit of Crime No.01 of 2023. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the accused, who are officials and elected member of the Arcot Panchayat Union Co-Operative Society and during the period 26.04.2014 to 26.03.2020, they had committed misappropriation of funds to the tune of Rs.59,55, 986/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and also the fact that without prejudice, the petitioner is ready and willing to deposit a sum of Rs.2,40,000/- to the credit of crime No.01 of 2023, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is directed to deposit a sum of Rs.2,40,000/- (Rupees Two Lakh Forty Thousand only), to the credit of Crime No.01 of 2023, within a period of four weeks from the date on which the order copy made ready, and on such deposit 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 on which the order copy is made ready, before **the Judicial Magistrate Court-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** each 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioner shall report before the respondent police every Tuesday at 10.30 a.m., for a period of eight months and thereafter as and when required for interrogation.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

31.03.2023

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