



Crl.O.P.No.7302 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.7302 of 2023

D.Sathishkumar

... Petitioner

Vs.

The State represented by,
The Station House Officer,
CCIW - CID,
Cuddalore District.

Crime No.6 of 2022.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in connection with the
Crime No.6 of 2022, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.S.Manivasagam

For Respondent : Mr.C.E.Pratap
Government Advocate (crl.side)



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ORDER

(This case has been heard through Video Conferencing)

The petitioner, who was arrested and remanded to judicial custody on 14.03.2023, for the offences punishable under Sections 120(B), 408, 471, 477(A) of IPC, in Crime No.6 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, who was working as a Secretary in the Karunguli Primary Agricultural Co-operative Credit Society along with other accused, by fabrication of documents, has sanctioned loan to the ineligible persons and caused loss to the said Co-operative Credit Society to the tune of Rs.7,41,115/-. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner, who is the Government Servant, working as a Secretary in the Karunguli Primary Agricultural Co-operative Credit Society and he has approved the loans recommended by the



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Executives of the Society and other than that, the petitioner has not committed any offence as alleged by the prosecution. He also submitted that the case of the prosecution is borne out by the documents. He further submitted that the petitioner is in judicial custody from 14.03.2023 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner (A1), who was working as a Karunguli Primary Agricultural Co-operative Credit Society, in conspiracy with other accused had granted loans to the ineligible persons during the period from 10.09.2015 to 08.05.2016 and caused loss to the Society to the tune of Rs.7,41,115/-. He also submitted that one previous case of similar nature is pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, to show his bonafide, without prejudice to his defense and contention, is ready and willing to deposit the original title deeds of an immovable property worth about Rs.5 lakhs, before the Court concerned.



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Therefore, he prayed to grant bail to the petitioner.

6. Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the petitioner is volunteered to deposit original title deeds of an immovable property worth about Rs.5 lakhs to the credit of crime number, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, **the petitioner is directed to deposit the original title deeds of an immovable property not less than the value of Rs.5 lakhs (standing in the name of the petitioner or his relatives or his friends) to the credit of Crime No.6 of 2022**, without prejudice to his rights and contentions before the trial Court and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Cuddalore** and



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on further conditions that:

[a] 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, everyday at 10.30 a.m., for a period of four weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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]*;

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

05.04.2023

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To

1. The Judicial Magistrate No.I,
Cuddalore.
2. The Station House Officer,
CCIW - CID,
Cuddalore District.
3. The Central Jail,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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