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Crl.O.P.No.11930 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406, 409, 420 read with 34 of IPC in Cr.No.2/2023 on the file of the respondent police, seeks anticipatory bail.

2.When the matter was came up for hearing on 07.07.2023, this Court has passed the following order:

“When the matter is taken up, it is submitted by the learned counsel for the petitioner that disciplinary proceedings was initiated against the Secretary of the Public Servants Co-operative Housing Society. Disciplinary proceedings ended in his favour and he was let off. Second and third accused paid a sum of Rs.14,18,000/- towards one time settlement for the alleged loss caused to the Society. Thus, there is no loss caused to the Society. Petitioner is unnecessarily implicated and harassed in this case.

2.The learned Government Advocate (Crl.Side) seeks time to verify the submissions of the learned counsel



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for the petitioner. Therefore, post the matter on 14.07.2023.

Meanwhile, the respondent police is directed not to precipitate the matter and desist from arresting the petitioner till then.”

3. Today, when the matter is taken up for hearing, learned Government Advocate (Criminal Side) submits that a sum of Rs.14,18,000/- was recovered from A2 and A3 in this case.

4. Considering the submissions of the learned Government Advocate (Criminal Side), this Court is inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in this case.

5. Accordingly, 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 made ready, before **the learned Judicial Magistrate Court No.I, Cuddalore**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty**



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Five 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 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., 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



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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.

17.07.2023

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