



Crl.O.P.No.21318 of 2023

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M.DHANDAPANI,J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120-B, 406, 408, 409, 420, 467, 468, 471 and 477-A of I.P.C. in Cr.No.1 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the then Secretary of P.E.62, The Tamil Nadu Cooperative Textile Processing Mills Employees Cooperative Thrift and Credit Society Limited, Erode and he along with the other accused is alleged to have cheated a sum of Rs.2,29,87,915/-.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. The petitioner is only Secretary and he has no active participation in the alleged offence committed by the other office bearers. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.20Lakhs before P.E.62, The Tamil Nadu Cooperative Textile



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Processing Mills Employees Cooperative Thrift and Credit Society
Limited, Erode.

4.Heard the learned Government Advocate (Criminal Side)
appearing for the respondent.

5.Considering the fact that the petitioner, on his own volition,
has come forward to deposit a sum of Rs.20 Lakhs before the P.E.62,
The Tamil Nadu Cooperative Textile Processing Mills Employees
Cooperative Thrift and Credit Society Limited, Erode, this Court is
inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in
the event of arrest or on his appearance, within a period of two weeks
from the date of receipt of a copy of this order, before the learned
Judicial Magistrate No.II, Erode District, 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 and
on further condition that:

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(a)the petitioner shall deposit a sum of Rs.20,00,000/- (Rupees Twenty Lakhs Only) before the P.E.62, The Tamil Nadu Cooperative Textile Processing Mills Employees Cooperative Thrift and Credit Society Limited, Erode, within a period of two weeks from the date of receipt of a copy of this order and shall produce the proof/ receipt of such deposit before the learned Judicial Magistrate No.II, Erode District, at the time of executing sureties.

(b)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;

(c)the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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



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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]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

27.09.2023

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