



Crl.O.P.No.24567 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.5 of 2023 registered by the respondent Police for the offences under Sections 408, 471, 477(a) of IPC read with 120(b) of IPC.

2. It is the case of the Petitioner that the Petitioner, Salesman in Chinna Pandarakuppam Primary Agricultural Cooperative Credit Society at Cuddalore had misappropriated a sum of Rs.1,68,925/- and this was by committing irregularities in the sales of fertilizers and fair price shop stock deficit.

3. Let me not enter into any further details since it is stated by the learned counsel for the Petitioner that after surcharge proceedings have been initiated against the Petitioner and the quantum had been determined, the Petitioner had repaid the entire amount together with the interest.

4. The learned Government Advocate (Criminal Side) stated that the Petitioner had been placed under suspension.



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5. Taking all the factors into consideration particularly the fact that the Petitioner had repaid the amount together with the interest, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, 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 made ready, before **the Judicial Magistrate – I, Panruti, Cuddalore**, 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.



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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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

28.11.2023

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