



Crl.O.P.No.26994 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A2 in Crime No.5 of 2023 registered under Sections 408, 471, 477(a) IPC r/w Section 120(6) IPC, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.The petitioner was working as cashier at Chinna Pandarakuppam Primary Cashier Agricultural Co-operative Society at Virudhachalam. It is stated that an enquiry had been ordered under Section 81 of Co-operative Societies Act, with respect to irregularities in sales of fertilizers and fair price shop stock deficits. The surcharge proceedings had been initiated and it had been determined that both A1 and A2 were jointly liable to pay a sum of Rs.3,21,000/-. The learned counsel for the petitioner states that the petitioner herein had deposited a sum of Rs.1,82,000/- being one half of that particular liability. Taking that factor into consideration and also that the other accused had been similarly granted anticipatory bail, anticipatory bail is granted to the petitioner/A2.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/A2 with certain conditions.



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5. Accordingly, the petitioner/A2 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 No.II, Panruti**, 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/A2 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/A2 to appear before the respondent police **every day 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



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appropriate action against the petitioner 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;

08.12.2023

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