



WEB COPY

CRL OP(MD)N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.06.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.10368 of 2023

S.Dhanalakshmi

... Petitioner/ Sole Accused

Vs

State Rep.by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Crime No.172 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.G.R.Satish, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.172 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 465, 468 & 471 IPC in Crime No.172 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working as Branch Manager in Sri Pandian Batteries Company in Sivakasi Branch. The petitioner is working as cashier in the said branch. He swindled the company's money to the tune of Rs.3,63,705/-. Hence, the case.

<https://www.hc.madras.gov.in/judis>



3.The learned counsel appearing for the petitioner would submit that the petitioner is ready and willing to deposit the said amount to the credit of crime number.

4.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of Cr.No.172 of 2023 before the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District, within a period of two weeks from the date of receipt of a copy of this order, failing which, the anticipatory bail granted to the petitioner shall stand cancelled automatically.

5.On such deposit, 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 learned Judicial Magistrate No.I, Sivakasi, Virudhunagar 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, 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, daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required for interrogation;

[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.

sd/-

16/06/2023

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/06/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO

1. THE JUDICIAL MAGISTRATE NO.I,
SIVAKASI,
VIRUDHUNAGAR DISTRICT.
 2. DO-THROUGH, THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC TO M/S.SATISH G R ADVOCATE SR.NO.8998.

ORDER

IN

CRL OP(MD) No.10368 of 2023

Date :16/06/2023

SI/SKN/ (28.06.2023) 3P/ 6C