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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2023

PRESENT

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

CRL OP(MD). No.10812 of 2023

Reka,

... Petitioner/Accused

Vs

State Rep. By
The Inspector of Police,
Pudukottai Town Police Station,
Pudukottai District.
Crime No. 242 of 2023.

... Respondent/Complainant

For Petitioner : Mr.M.Ajith,
Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
For Intervenor : Mr.C.Susikumar,
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 242 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 406 and 420 of IPC in Crime No.242 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was working in S.Hariharan's Rasi Medicals. At that time, the petitioner



has created fake bills on the accounts of Rasi Medi and misappropriated a sum of Rs.2,00,000/-. Hence, the complaint.

3. Heard both side and perused the materials available on record including the First Information Report.

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4. It is seen that during enquiry, the petitioner herself had admitted that she is ready to settle the amount with the defacto complainant.

5. The learned counsel for the petitioner would submit that the petitioner is ready and willing to pay the misappropriated amount directly to the defacto complainant.

6. Taking into consideration of the facts and also considering the submission made by the learned counsel for the petitioner, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

7. 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 learned Judicial Magistrate No.I, Pudukkottai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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:

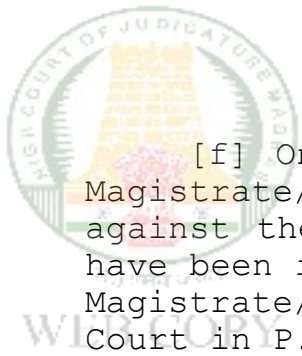
[a] the petitioner shall pay a sum of Rs.2,00,000/- by way of demand draft and directly hand over the same to the defacto complainant and on production of proof/ acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioner.

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 am., for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation



[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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/06/2023

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/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MRN

TO

1. The Judicial Magistrate No.I, Pudukkottai.
2. do through The Chief Judicial Magistrate,
Pudukkottai.
3. The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.AJITH, Advocate (SR-9095[I] dated 20/06/2023)

ORDER
IN
CRL OP(MD) No.10812 of 2023
Date :19/06/2023

DL/(27.06.2023)/ 3P/ 6C