



Crl.OP.No.1455 of 2024

Crl.O.P.No.1455 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A1 in Crime No.5 of 2023 registered by the respondent police for the offences punishable under Sections 120B, 408, 471, 477A of IPC, seeks anticipatory bail .

2. The petitioner is the Ex-Secretary of the Chinnapandarakupam Primary Co-operative Credit Society at Cuddalore. It is stated that this petitioner along with A2 and A3 had misappropriated amounts while holding posts in the said society. It is specifically stated that the petitioner had misappropriated a sum of Rs.2.5 lakhs.

3. The learned counsel for the petitioner stated that the petitioner had deposited earlier a sum of Rs.1.1 lakh. He is yet to deposit a further sum of Rs.1.4 lakhs.



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4. Taking into consideration the statement made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. 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-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, 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.



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[b] *within a period of three weeks from the date of executing surety the petitioner must deposit a sum of Rs.1.4 lakhs to the credit of Cr.No.5 of 2023 before the learned Judicial Magistrate-II, Panruti.*

[c] the petitioner shall report before the respondent police on everyday 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 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.



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5. The defacto complainant is at liberty to file necessary application for payment of the said amount. If so file, the learned Judicial Magistrate-II, Panruti may pass appropriate orders after examining the credentials of the applicant.

6. With the above directions, this Criminal Original Petition is allowed.

06.03.2024

Vv



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