



Crl.O.P.No.4573 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.39 of 2024 registered by the respondent Police for the offences punishable under Section 409 of IPC.

2. The petitioner is working as Head Clerk in District Munsif cum Judicial Magistrate Court, Kalasapakkam, Thiruvannamalai District.

3. It is stated that fine had been paid by various accused. Out of total amount of Rs.85,100/-, the petitioner had deposited only a sum of Rs.75,100/- on 13.02.2023 and had failed to deposit a sum of Rs.10,000/-. A complaint was lodged on 14.02.2024 and F.I.R. had been registered. The petitioner had been issued a suspension order by the Principal District Judge, Thiruvannamalai by an order dated 15.02.2024.

4. The learned counsel for the petitioner stated that the petitioner is prepared to deposit a sum of Rs.10,000/-. Let disciplinary proceedings proceed in the manner known to law.



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5. It is clear that the petitioner had not deposited a sum of Rs.10,000/- collected as fine, during the judicial proceedings in the Court of District Munsif cum Judicial Magistrate Court, Kalasapakkam, Thiruvannamalai District.

6. However, taking all the other factors into consideration 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **District Munsif Court cum Judicial Magistrate Court, Kalasapakkam**, 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



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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 everyday at 10.30 a.m., until further orders.

[c] At the time of executing sureties, a sum of Rs.10,000/- may be deposited in the proper manner. The learned Principal District Judge, Thiruvannamalai may sensitize all the Judicial Magistrates working under his control to ensure that the fine Registers are maintained properly and the fine amounts collected are deposited on the very same day or on the next working day without fail.

[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 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



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registered under Section 229A IPC.

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