



Crl.O.P.No.5933 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A3 in Crime No.1 of 2024 registered by the respondent police for the offences under Sections 408, 409, 420 IPC read with Section 34 IPC, seeks anticipatory bail.

2. The petitioner herein, was the president of Ladavaram Primary Agricultural Co-operative Bank at Ranipet, Ranipet District. It was found that between the years 2019 and 2020, by the Deputy Registrar of Co-operative Society at Ranipet, that there had been total misappropriation for a sum of Rs.11,62,272/- (Rupees Eleven Lakhs Sixty Two Thousand Two Hundred and Seventy Two only) not only by the President but also by the Secretary and by the staff of the said Society.

3. The petitioner had been arrayed as an Accused A3 and the other two persons were arrayed as Accused A1 and A2. They had been secured and are still in custody. It is stated that among other allegations Charge No.3 was levelled directly against the Petitioner and the other two accused in the proceedings under Section 81 of the Tamil Nadu Co-operative Societies Act.



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4. It is noted that the total amount involved in Charge No.6, namely, Rs.2,28,000/- (Rupees Two Lakhs Twenty Eight Thousand only) had been paid back by the accused persons. In view of that particular fact, the proceedings under Section 81 of the Tamil Nadu Co-operative Societies Act suffered an order of dismissal.

5. Taking all these 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate No.II, Vellore**, 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 conditions that :



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[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 the 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]**.



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

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