



Crl.O.P.No.9103 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 406, 408 and 420 of IPC in Crime No.174 of 2021 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner was working under the Scheme of Tamil Nadu State Rural Livelihoods Mission (TNSRLM) III Phase from the year 2019 as Regional Operation Manager at Kendayanahalli. On 17.12.2021 under the scheme of Tamil Nadu State Rural Livelihood Mission (TNSRLM) III Phase released fund of Rs.60,000/- in favour of the Kendayanahalli Panchayat for the purpose of distributing the same in favour of four Magalir Suyavudhavikuzhu. However the amount of Rs.15,000/- only was distributed to one Amman Magalir Suyavudhavikuzhu. By using her official power the petitioner misused the balance of Rs.45,000/- and the said amount was transferred in her personal account with the help of the Panchayat Secretary namely Sudha and Treasurer namely Mangai. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the



petitioner is an innocent and she has not committed any offence as alleged by the prosecution. She is hailing from a respectable family and she is a law abiding citizen and undertakes to abide by any conditions that may be imposed by this Court. Hence he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioner. The petitioner has misused her official power and transferred a sum of Rs.45,000/- in her personal account. Now the said amount has been recovered from her.

5.Heard the learned counsel for the petitioner, and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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,



Palacode, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom one surety should be a blood surety, each for a like sum to the satisfaction of the respondent/police or the police officer, who intends to arrest the petitioner, 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 Court concerned 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 as and when required;

(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



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Crl.O.P.No.9103 of ____

with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

13.06.2024

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T.V.THAMILSELVI, J.

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Crl.OP.No.9103 of 2024



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Crl.O.P.No.9103 of _____

13.06.2024