



Crl. O.P. No.26465 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 468 and 420 of IPC in connection with the Cr. No.207 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as Postal Assistant in Thittakudi Post Office, Cuddalore District and when he was in his duty on 11.05.2019 and 05.09.2019, had misappropriated the amount to the tune of Rs.26,000/- from the account of one Parimala by manipulating the signature of the said Parimala and based on the complaint given by the said Parimala, departmental enquiry was conducted and thereafter, the Postal Sub-Division Inspector, Viruthachalam Sub-Division lodged the present complaint and based on the said complaint, this case has been registered against the petitioner.

3. The learned counsel for the petitioner would contend that a false case has been registered as against the petitioner and he was forced to pay Rs.26,000/- during the enquiry and he also paid the said amount in order to avoid any blackmark in his service, that it is false to say that the



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petitioner has admitted his guilt, that on the alleged day, the petitioner was not incharge for the cash account and he has not committed any offence as alleged in the FIR and only to harass the petitioner, this case has been falsely foisted as against him. Hence, the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is working in the postal department and during his duty in Vagaiyur Post Office, he has manipulated the signature of one Parimala and misappropriated a total amount of Rs.26,000/- and based on the complaint given by the Postal Sub-Division Manager, Viruthachalam Sub Division, this case has been registered against the petitioner. Hence he objected to grant anticipatory bail to the petitioner. The learned Government Advocate would further submit that during the enquiry, the petitioner admitted his guilt and remitted back the amount of Rs.26,000/- .and there is no any previous case pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offence involved in this case, that there is no previous case



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pending as against the petitioner and also considering the fact that the disputed amount was also remitted by this petitioner into the concerned account, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 **Judicial Magistrate Court, Thittakudi** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.00 a.m. until further orders;

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to



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any police officer;

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[c] the petitioner shall not leave India without the previous permission of the Court;

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

25.10.2024

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To



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- 1.The Judicial Magistrate Court, Thittakudi
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Thittakudi Police Station, Cuddalore District.

P.DHANABAL,J
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