



CRL OP(MD)No.7491 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7491 of 2024

Kathiresan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Vigilance & Anticorruption Unit,
Virudhunagar District.
Crime No.01 of 2024

... Respondent/Complainant

For Petitioner : Mr.G.Mariappan,Advocate

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.01 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 167, 468, 471, 409, 34 IPC and Section

13(2) r/w 13(1)(a) of the Prevention of Corruption Act, 1988 in Crime No.01 of 2024
<https://www.mhc.tn.gov.in/judis>



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on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is the President of Mettamalai Panchayat. He colluded with A1 and committed misappropriation to the tune of Rs.3,94,110/-. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that investigation in this case is not yet completed.

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

6.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 of receipt of a copy of this order, before the learned Special Judge cum Chief Judicial Magistrate, Virudhunagar at Srivilliputhur, 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 conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb

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impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police weekly twice ie., every Saturday and Sunday at 10.30 a.m., for interrogation, until further orders.

[c]the petitioner shall not tamper with the 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 is 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 229-A IPC.

sd/-
22/05/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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GNS
TO

- 1 THE SPECIAL JUDGE CUM
CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTICORRUPTION UNIT
VIRUDHUNAGAR DISTRICT
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.G.MARIAPPAN, Advocate (SR-5570[I] dated 22/05/2024)

ORDER
IN

CRL OP(MD) No.7491 of 2024

Date :22/05/2024

PKP/GS/SAR /24.05.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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