



CRL OP(MD). No.7801 of 2024

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

Date : 29/05/2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CRL OP(MD). No.7801 of 2024

Hemalatha

... Petitioner/Sole Accused

Vs

The State rep. By  
The Inspector of Police,  
Thenkarai Police Station,  
Theni District.  
(Crime No.204 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Karthikeya Venkitachalopathy, Advocate.  
For Respondent : Mr.S.S.Madhavan  
Government Advocate (Criminal)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 204/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused who was arrested and remanded to judicial custody on 05.05.2024 for the offences under Section 409 I.P.C, in Crime No.204 of 2024 on the file of the respondent police seeks bail.



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2. The case of the prosecution is that the petitioner was working as Head Clerk in the Judicial Magistrate Court, at Periyakulam. While discharging her official duty as Head Clerk, she misappropriated a fine amount of Rs.25,000/-. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in the case. In pursuance to her arrest, she was suspended from the service and facing departmental proceedings. The petitioner has been in judicial custody for the past 25 days.

4. The learned Additional Public Prosecutor appearing for the State opposed to grant bail to the petitioner stating that the investigation is still pending.

4. Heard the learned counsel for the petitioner and also the learned Additional Public Prosecutor.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Periyakulam and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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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 interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 229A IPC.

sd/-  
29/05/2024

/ TRUE COPY /

29/05/2024  
Sub-Assistant Registrar (Vigilance)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

MRN



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To

WEB COPY

1.The Judicial Magistrate, Periyakulam.

2.Do through the Chief Judicial Magistrate,  
Theni District.

3.The Inspector of Police,  
Thenkarai Police Station,  
Theni District.

4.The Officer Incharge,  
District Prison, Theni.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate ( SR-5910[I]  
dated 29/05/2024 )

ORDER

IN

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Date :29/05/2024

ED/ /SAR- (29/05/2024) 4P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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