



CRL OP(MD).No.7953 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.7953 of 2024

Saranya

... Petitioner/ Accused 2

versus

State Rep. by
The Inspector of Police,
EOW – Karur,
Karur District.

... Respondent/Complainant

For Petitioner : Mr.M.Suresh
Advocate

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl. side)

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

PRAYER :- For Anticipatory Bail in Crime No.1 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 420 r/w. Section 34 of IPC, in Crime No.1 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner/A2 and A1 were working as a Secretary of Athoor Primary

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Agricultural Co-operative Credit Society. The case of the prosecution is that the petitioner along with A1 misappropriated a sum of Rs.8,55,306/- and caused loss to the society. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. However, she has been falsely implicated in this case. He further submits that A1 has already deposited the misappropriated amount before the Society, based on which, A1 was enlarged on bail by the learned Judicial Magistrate No.I, Kulithalai, in CrI.M.P.No.319 of 2024 on 02.04.2024. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submits that the investigation is yet to be completed.

5. Taking into consideration the facts and circumstances of the case and also the facts that A1 has already deposited the misappropriated amount before the Society, based on which, A1 was enlarged on bail by the learned Judicial Magistrate No.I, Kulithalai, in CrI.M.P.No.319 of 2024 on 02.04.2024 , 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 her appearance, within a period of fifteen days from the date of receipt of



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a copy of this order, before the learned Judicial Magistrate No.I, Kulithalai, Karur District, 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 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 daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation by the respondent Police.

[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



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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/-
29/05/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1 THE JUDICIAL MAGISTRATE NO.I,
KULITHALAI, KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
EOW - KARUR,
KARUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CRL OP(MD) No.7953 of 2024
Date :29/05/2024

SA/VR/SAR. /04.06.2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.