



CRL OP(MD). No.10076 of 2024

WEB COPY

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

Date : 08/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN  
CRL OP(MD). No.10076 of 2024

Saminathan,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,  
Eow, Pudukkottai,  
Crime No. 2/2024.

... Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.2 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 17.05.2024 for the offences punishable under Sections 408, 468, 471, 477A and 420 IPC in crime No.2 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, who was working as a Secretary in the Co-operative Housing Society, Aranthangi Circle had misappropriated a sum of Rs.8,68,723/-. Hence, the complaint.

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



**CRL OP(MD). No.10076 of 2024**

WEB COPY

innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 17.05.2024, hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that petitioner, who was working as a Secretary in the Co-operative Housing Society, Aranthangi Circle had mis-appropriated a sum of Rs.8,68,723/-. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 the learned (\*) Judicial Magistrate No.II, Pudukottai and on further conditions that;

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m.,



CRL OP(MD). No.10076 of 2024

until further orders;

WEB COPY

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial.

(v)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].

(vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
08/07/2024

(\*)Amended as per order of this Hon'ble Court  
in CRL MP(MD).6944/2024 in CRL OP(MD).  
10076/2024 dated 09/07/2024

/ TRUE COPY /

09/07/2024

Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP



CRL OP(MD). No.10076 of 2024

TO

WEB COPY

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON  
08/07/2024

- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,  
PUDUKKOTTAI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE NO.II, PUDUKOTTAI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKOTTAI DISTRICT.
- 4 THE INSPECTOR OF POLICE, EOW, PUDUKKOTTAI
- 5 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENINKUMAR, Advocate ( SR-7664[I] dated 09/07/2024 )

ORDER IN

CRL OP(MD) No.10076 of 2024

Date :08/07/2024

SS/SAR- /08/07/2024/5P/6C

RS/SAR- /09.07.2024/5P/8C

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