



CRL OP(MD). No.11002 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Alagri,

2. Anushiya,

... Petitioners/ Accused (Rank not known)

Vs

The Inspector of Police,
District Crime Branch,
Thanjavur District.
Crime No. 28/2024..

... Respondent/Complainant

T.Saravanan

... Petitioner/Defacto Complainant
in CRL MP(MD)No.7370 of 2024
in CRL OP(MD)No.11002 of 2024

For Petitioner : Mr.M.Karunanithi,
Advocate.

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

For Intervenor : Mr.S.Kanagarajan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No. 28 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 408 and 420 IPC in Crime No. 28 of 2024, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the intervenor and learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

3. The Learned counsel appearing on behalf of the intervenor would submit that so far as a sum of Rs.17,00,000/- has been transferred to the account of the petitioners / accused herein to be paid as stipend to the concerned trainees. But however, without paying any amount to the trainees, the amount has been misappropriated.

4. The learned counsel appearing on behalf of the petitioners would submit that even as per the accounts only a sum of Rs. 6,86,503/- has been paid to the



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account of the petitioners herein. He would further submit the said amount was repaid by them by way of salary and also by way of payment to the HR Manager. However, for the purposes of this case, to show her bonafide without prejudice to their contentions they are ready and willing to deposit the said sum of Rupees Rs. 6,86,503/- to the credit of the crime number.

5. In view of the said arguments made by the learned counsel for the petitioners, I am inclined to enlarge the petitioners on anticipatory bail. The investigating officer shall dispassionately investigate into all the allegations including the ones which are raised by the petitioners and whether the parties are conducting themselves properly.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thanjavur, on condition that the petitioners shall execute a bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)As per the undertaking, the petitioners shall deposit a sum of Rs.6,86,503/- (Rupees Six Lakhs Eighty Six Thousand and Five Hundred and Three only) to the credit of **(*)Crime No.28 of 2024** , before the Court concerned, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(c)the petitioners shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*; and;



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(g)if the accused thereafter abscond, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
14/08/2024

**(*)CORRECTED AS PER ORDER OF THE
COURT DATED 02.09.2024 IN CRL
OP(MD)NO.11002 OF 2024**

/ TRUE COPY /

04/09/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
**TO BE SUBSTITUTED WITH THE ORDER DATED 14.08.2024 ALREADY
DESPATCHED**

- 1 THE JUDICIAL MAGISTRATE NO.I
THANJAVUR
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER

IN

CRL OP(MD) No.11002 of 2024

Date :14/08/2024

SS/VR/SAR- /28/08/2024/5P/5C
RK/ (04.09.2024) 6P/5C

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