



CRL OP(MD). No.17984 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17984 of 2024

1.Vilvamoorthi

2.Murugalingam

... Petitioners / Accused Nos. 1 & 2

Vs

The State of Tamil Nadu,  
Rep. by the Inspector of Police,  
Thiruppuvanam Police Station,  
Sivagangai District.  
(Crime No.165 of 2024)

... Respondent/Complainant

For Petitioner : M/s.M.Karunanithi,  
Advocate

For Respondent : Mr.A.Albert James,  
Government Advocate,  
(Criminal Side)



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## PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

### PRAYER :-

For Anticipatory Bail in Crime No.165/2024 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 Section 409 of IPC, in Crime No.165 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the other accused have misappropriated a sum of Rs.40,00,000/-. Hence, the complaint.

3. Heard the learned counsel on either side, and perused the material records of the case.

4. Considering the nature of the allegations in this case that the petitioners, being the employees of the temple are said to have misappropriated the temple amount and considering the argument of the learned counsel for the petitioner that



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it is only a procedural violation and if permission is granted, they will return the money and upon an interim order being passed by this Court, the amount has already been paid to the temple, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5. 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, Thiruppuvanam**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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:

(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;



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

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

(d) the petitioners 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 first petitioner in accordance with law as if the conditions have been imposed and the first 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]*; and



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

sd/-  
28/10/2024

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

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TO

1. The Judicial Magistrate,  
Thiruppuvanam.
2. Do-Through,  
The Chief Judicial Magistrate,  
Thiruppuvanam.
3. The Inspector of Police,  
Thiruppuvanam Police Station,  
Sivagangai District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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ORDER  
IN  
**CRL OP(MD) No.17984 of 2024**  
**Date : 28.10.2024**

**SI/ MMS/ /-(14.11.2024) 6P/ 5C**

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