



Crl OP No.2075 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2075 of 2025

1.Periyasamy
2.Veerapandian

Petitioner(s)

Vs

State Rep By
The Station House Officer, EOW- Cuddalore
Police Station, Cuddalore District. (Crime.No.
1/2025)

Respondent(s)

For Petitioner(s):

R Murugabharathi

For Respondent(s):

Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 408, 420, 477 A r/w 34 of IPC in Crime No.1 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with



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other accused had misappropriated funds to the tune of Rs.7,44,639.75/- lakhs from the Edachithur Primary Agricultural Co-operative Credit Society. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are the salesman of the above said co-operative society, and they have been falsely implicated in this case; that the petitioners duly repaid the amount and there is no specific overt act as against the petitioners; that the custodial interrogation of the petitioners are not necessary in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (CrI. Side) would submit that the petitioners along with other accused had misappropriated funds to the tune of Rs.7,44,639.75/- lakhs from the Edachithur Primary Agricultural Co-operative Credit Society and the amount have been repaid; that the petitioners ranked as A1 and A3 and they are the Secretary and Salesman of the above said co-operative society; that the petitioners are habitual offenders and there is one previous case, similar in nature, against them. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6.Considering the nature of allegation, the fact that the misappropriated amount have already been repaid by the petitioners, the case is borne out by records and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions

(a) Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the ***Judicial Magistrate No.II, Panruti, Cuddalore District***, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further



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condition that:

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[b] the petitioners shall report before the respondent police daily at 10.30 a.m, until further orders.

(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 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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

05-02-2025

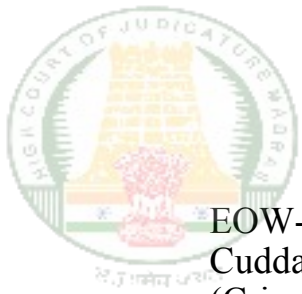
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To

1. State Rep By

The Station House Officer,



EOW- Cuddalore Police Station,
Cuddalore District.
(Crime.No. 1/2025)

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