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CRL O.P. No.2462 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2462 of 2025

Akilandeshwari W/o. Arunkumar

.... Petitioner / Accused

Vs

State rep. by:-

The Inspector Of Police,
Peralam Police Station,
Tiruvarur District.

... Respondent

[Cr. No.9 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.9 of 2025 on the file of the respondent police.

For Petitioner : Mr. T. Muruganantham

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest in the hands of
the respondent police for the offence punishable under Sections 406, 409,

1/6



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417, 418 and 420 of IPC in connection with the case in Crime No.9 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working as Branch Post Master and had committed fraud and misappropriated the funds of the post office to the tune of Rs.2,92,255/- during the period between 21.11.2016 and 25.06.2020.

3. Learned counsel for the petitioner would contend that the petitioner had settled entire dues and that in any case, custodial interrogation of the petitioner is not required, since the case is borne out of records and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), on instructions, would submit that the petitioner has been suspended from service and that departmental action has been taken against the petitioner and the petitioner had been removed from service and further submitted that the entire misappropriated amount has been recovered from the



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

6. Considering the nature of allegations, the fact that the entire amount has been recovered from the petitioner, the case is borne out of records and in any case, since the custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is 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 learned **Judicial Magistrate, Nannilam** on condition that the petitioners 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 respondent



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Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioner shall not tamper with 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 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].



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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

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mjs

To

1. The Judicial Magistrate, Nannilam.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, Peralam Police Station, Tiruvarur District.

SUNDER MOHAN. J.,

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