



WEB COPY



Crl.O.P.No.15455 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15455 of 2025

Annadurai

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
EOW Tiruvannamalai,
Thiruvannamalai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No.01 of 2025 on the file of respondent Police.

For Petitioner : Mr.S.Ambedkar

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Sections 408, 471, 477A and 120(B) of IPC in Crime No.01 of 2025, on the file of the respondent Police, seeks anticipatory bail.



Crl.O.P.No.15455 of 2025

WEB COPY

2. The case of the prosecution is that the accused misused their position and misappropriated the public fund of the Primary Agriculture Co-operative Credit Society and caused misappropriation to the tune of Rs.2,48,17,301/-. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He also submitted that the petitioner was employed as Junior Clerk in the Fertilizer section of the Society and is not responsible for the offence that took place in the jewel loan section. He further submitted that the offence is said to have been committed during the period of existing Secretary and Accountant. The only allegation against the petitioner is that he failed to act as a responsible clerk and failed to take steps to collect the locker keys from the first accused, who, even after being relieved from the Society, continued to retain the locker keys. He also submitted that alleged misappropriation of jewels had occurred prior to the petitioner being given in-charge on 05.12.2023. He also submitted that the second accused in this has been enlarged on bail on the Court below. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail.



CrI.O.P.No.15455 of 2025

WEB COPY

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting anticipatory bail to the petitioner. He further submitted that the Deputy Registrar of the Co-operative Society had lodged a complaint stating that based on the enquiry conducted under Section 81 of the TN Co-operative Societies Act, it came to light that the misappropriation committed by the accused by making false entries in the registers relating to 55 Animal Husbandry jewel loans and 29 regular jewel loans. He also submitted that the accused are respectively the Secretary, Accountant and Clerk of the Kalasapakkam Primary Agriculture Co-operative Credit Society and that the surcharge proceedings have also been initiated against them. He also submitted that the petitioner also held joint responsibility in the commission of the offence, along with other accused.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and that the surcharge proceedings is also initiated against the petitioner and the second



Crl.O.P.No.15455 of 2025

accused was enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner with 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 on which the order copy made ready, before the learned **Judicial Magistrate No.II, Tiruvannamalai**, on condition that the petitioner 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 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 condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



WEB COPY



Crl.O.P.No.15455 of 2025

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

M.NIRMAL KUMAR, J.



Crl.O.P.No.15455 of 2025

WEB COPY

ham

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

02.07.2025

ham

To

1. The Judicial Magistrate No.II,
Thiruvannamalai.
2. The Inspector of Police,
EOW Tiruvannamalai,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.15455 of 2025