

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

**Dated this the 22<sup>nd</sup> day of May 2024**

**CrI.M.P. No.127/2024**

**CNR.No.TNTH00-000131-2024**

Hemalatha ... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Thenkarai P.S. in

Cr.No.204/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru.D.Muthukumar, Learned Counsel for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following:

**ORDER**

This petition has been filed by the petitioner/accused U/s.439 of Code of Criminal Procedure seeking bail.

**2. The Nitty-Gritty of the prosecution case is as follows:**

The petitioner was working as Head clerk in the Judicial Magistrate Court at Periyakulam. While discharging her official duty as Head clerk, she misappropriated the fine amount of Rs.25,000/-. Therefore the case registered against her U/s.409 of IPC.

3. Heard both sides.

4. The points for determination is that can the petitioner be released on bail?

Discussion and Decision:

5. The FIR and records are perused. The FIR was lodged by the Head clerk of Judicial Magistrate Court, Periyakulam,.As revealed from the FIR, the petitioner allegedly misappropriated fine amount of Rs.25,000/- on various dates. The petitioner committed the offence while she was officiating as Head Clerk in the Judicial Magistrate Court, Periyakulam. The prosecution submitted that the investigation is underway and the petitioner would tamper the prosecution evidence if released on bail. In the light of above discussion, the offence committed by the petitioner is serious in nature. So having regard to the above facts that investigation is underway, the petitioner is not entitled for bail at this stage. Therefore the petition is liable to be dismissed.

**In fine, the Bail petition is dismissed.**

Pronounced by me in open Court on this the 22<sup>nd</sup> day of May 2024.

**Vacation Sessions Judge,  
Theni.**

Copy to:

The Judicial Magistrate, Periyakulam.