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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 553/2019**

**THOMSON REDDY**

..... Petitioner

Through: Mr. Trideep P., Mr. Devashish Chauhan  
and Mr. Anshuman Pandey, Advocates

versus

**STATE (NCT OF DELHI)**

..... Respondent

Through: Mr. Amit Ahlawat, APP for State with  
SI Randeep  
Mr. Rakesh Chahar and Mr. Naveen Chauhan,  
Advocate for the complainant

**CORAM:**

**HON'BLE MR. JUSTICE R.K.GAUBA**

**ORDER**

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**11.03.2019**

Crl. M.A. 4726-4728/2019 (Exemption)

Allowed subject to just exceptions.

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Status report filed. Copy given. The Additional Public Prosecutor and the counsel for the complainant, who is also present have been heard in opposition besides the counsel for the petitioner and with their assistance, record of investigation has been perused.

Reference is made to denial of anticipatory bail by order dated 14.01.2019 on bail application no.2515/2018 but then the considerations for release on regular bail are different and distinct

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from those applied in the context of prayer for anticipatory bail. The petitioner was arrested during the course of investigation on 12.02.2019 and on the request of the investigating agency, he remained in police custody till 18.02.2019 where-after he stands lodged in judicial custody, his prayer for release on bail having been declined by the Additional Sessions Judge by order dated 23.02.2019 on bail application no.423/2019.

It is noted that the petitioner was an employee of the complainant company, his capacity during relevant period being that of Purchase-Head. Certain acts of commission or omission are attributed to him, which are stated to be by misuse of his official position vis-a-vis the company so as to cause wrongful loss to it, the offence under Section 420 IPC initially invoked being now part of the larger picture which statedly includes offences under Sections 468, 471, 120 B IPC. When the anticipatory bail was declined, the submissions were that the wrongful loss caused to the employer company was in the region of Rs.5.5 Crores. The investigation carried out thereafter has indicated the total loss approximately is Rs.4.26 Crores, the loss on account of acts attributed to the petitioner being statedly Rs.2.14 crores. It appears the petitioner is alleged to have introduced an entity named Exen Chem, certain contract having been awarded to it allegedly at his instance and persuasion even though its bid was highest, the lower quotations having been dishonestly ignored. His plea on the other hand has been that he was lower down in the hierarchy, the decision having been taken by his

superiors after due deliberations. There are allegations also made of certain suspect credit entries received in the accounts of his father, Mr. Sanjiv Reddy and his mother-in-law Mary Verghese. It is pointed out by the counsel for the petitioner that both the said persons have since been released on anticipatory bail by the court of sessions by order dated 23.02.2019 read with order dated 05.03.2019 on bail application nos.424/2019 and 425/2019, the said persons having deposited with the court an amount of money equivalent to the suspect credit entries.

The investigation is likely to take sometime to conclude. In these circumstances, no useful purpose would be served by keeping the petitioner in continued custody. It is thus directed that he shall be released on bail subject to the following conditions :-

- (i). The petitioner shall furnish a personal bond in the sum of Rs.50,000/- with one surety in like amount to the satisfaction of the trial court.
- (ii). Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the trial court.
- (iii). He shall join the investigation as and when called upon by the investigating officer to do so.
- (iv). He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or delay to its progress.
- (iv). He shall not engage in any criminal activity;

(vi). He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(vii). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court.

The bail application is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities and to the trial court.

*Dasti* under the signatures of the Court Master.

**R.K.GAUBA, J**

**MARCH 11, 2019**

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