



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17365 of 2021

1 B.SATHYA
2 MALLIGA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SIVA KANCHI POLICE STTION,
KANCHEEPURAM-631 502,
KANCHEEPURAM DISTRICT
(CRIME NO. NOT KNOWN OF 2021)

[RESPONDENT]

For Petitioner : M/S.R.ANBALAGAN Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence punishable under Sections 294(b), 380 and 506(ii) IPC in Crime No.Not known of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that while the first petitioner was working as Computer Operator at Computer Billing Section in the defacto complainant's Silk Sarees Shop at Kancheepuram and she had manipulated a bill for a sum of Rs.7,00,000/-. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that on 14.02.2021, one bill was not tallied to the



purchasing items and hence the first petitioner had tried to take fresh bill. In this connection, the defacto complainant had watched it through CCTV and told her that she has manipulated a sum of Rs.7,00,000/- for which, the defacto complainant called the first petitioner to his room and received her 2 sovereigns of gold chain by threat stating that it was for the shortage amount of Rs.70,000/-. He further submits that the first petitioner already informed him that there was a problem in the computer and requested him to rectify the defect. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the submissions made by both counsel, this court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.1, Kanchipuram, Kanchipuram District on condition that each of the petitioners shall execute separate bonds 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 learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation;

(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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

20/09/2021

WEB COPY

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, KANCHIPURAM, KANCHIPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SIVA KANCHI POLICE STTION,
KANCHIPURAM-631 502 .
KANCHEEPURAM DISTRICT

+1 CC to M/S.R.ANBALAGAN Advocate on payment of necessary
charges SR.NO.10379

CRL OP.17365/2021

Date :20/09/2021

RW 01/10/2021