



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of September Two Thousand Twenty

One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17579 of 2021

PREM KUMAR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR DISTRICT.
CRIME NO.1550 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.ARJUN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 380, 457 of IPC in Crime No.1550 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the Defacto complainant is working as a Cashier in the Everest Finance Company and the petitioner is working as employee in the defacto complainant's company. It is alleged that the petitioner has committed theft to the tune of Rs.4,60,000/- in the said company. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that with an ill motive, the defacto complainant trying to terminate the petitioner for the reason of money laundering in his company. Therefore, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that there was a dispute between the employer/defacto complainant and employee/petitioner. He further submits that the petitioner's earlier two petitions were dismissed by the Sessions Court, Tiruppur vide order dated 04.09.2021 and 14.09.2020 in Cr.MP.Nos.1455 of 2021 and 1522 of 2021 respectively. He further submits that the stolen amount was not recovered.

5.Considering the submissions on either side and also the fact that there was a dispute between the employer and employee, this court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palladam 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 and on further condition that:

(a) the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

(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 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.

WEB COPY

-sd/-
22/09/2021

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,
PALLADAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.ARJUN Advocate on payment of necessary charges

CRL OP.17579/2021

Date :22/09/2021

JPA 05/10/2021