

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.21166 of 2020

N.WAHITH
SENIOR PRODUCTION SUPERVISOR
CPF INDIA PVT. LTD.,

[PETITIONER / ACCUSED]

Vs

STATE REP BY,
THE SUB-INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO. NOT KNOWN OF 2020

[RESPONDENT]

For Petitioner : M/S.A.V.ARUN Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 405, 417 and 420 of I.P.C. in Cr.No.not known of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner while working as Senior Production Supervisor in CPF India Private Limited is alleged to have taken away 330 bags of chicken feed worth about Rs.5 Lakhs and thereafter sent resignation letter. On the basis of the complaint given by the Branch Manager of the said Company, the case came to be registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the case. He further submitted that after the petitioner resigned from the job, he was enquired about the shortage of chicken feed bags and the petitioner also gave his explanation, however, without accepting the same, a false complaint was lodged by the defacto complainant. The learned counsel, on instructions, would further submit that the

petitioner is ready to deposit the amount that is to be imposed by this Court.

4. The learned Additional Public Prosecutor submitted that on the basis of the complaint lodged by the defacto complainant, a case in Crime No.52 of 2021 under Section 420 of I.P.C. was registered by the respondent police and vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the submissions made by the learned counsel appearing for the petitioner, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Sub-Inspector of Police, Krishnagiri Taluk Police Station and learned Judicial Magistrate No.2, Krishnagiri, 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 shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the credit of Crime No.52 of 2021 before the learned Judicial Magistrate No.2, Krishnagiri;

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

-sd/-
16/04/2021

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,
NO.2, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB-INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT.

+1 CC to M/S.A.V.ARUN Advocate on payment of necessary charges
SR.No.4929

CRL OP.21166/2020

Date :16/04/2021

cs 19/04/2021

WEB COPY