



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM:

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CrI.O.P.No.21119 of 2021

Praveenkumar

... Petitioner

Vs

State Rep. by
The Fairlands Police Station,
Salem City, Salem District.
Crime No.439 of 2021

... Respondent

Prayer : Criminal Original Petition has been filed under Section 438 of the Criminal Procedure Code, 1973, to grant anticipatory bail to the petitioner in the event of arrest in connection with Crime No.439 of 2021 pending investigation on the file of respondent police.

For Petitioner : Mr.T.N.Rangesh Kanna

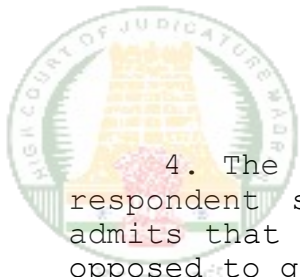
For Respondent : Mr.N.S.Suganthan,
Government Advocate (CrI. Side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 409, 420, 468, 471 of IPC, in Crime No.439 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as a Senior credit Life Insurance Officer from 19.06.2019 in M/s.Canara HSBC Oriental Bank of Commerce Life Insurance Company Limited, Salem, the petitioner doing source of life insurance business for the complainant company. On 14.07.2021 one Gowtham gave a complaint to the said Bank and based upon the complaint the petitioner has illegally collected would approximately the tune of Rs.11,00,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Furthermore he repaid amount to Bank and Statement also submitted. Hence, he prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the investigation is still pending, but admits that he repaid certain amount to Bank. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case and the fact as well as the settlement made by this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 No.V, Salem, on condition that the petitioners 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 appear before the respondent police every Monday and Friday at 10.30 a.m until further orders;

(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 petitioner 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/-

17/11/2021

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

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

TO

1 THE JUDICIAL MAGISTRATE,
NO.V, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 THE FAIRLANDS POLICE STATION,
SALEM CITY,
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.N.RANGESH KANNA Advocate on payment of necessary charges

CRL OP.21119/2021

Date :17/11/2021

RVR 19/11/2021