



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.23866 of 2021

R.Nanadakumar

... Petitioner

Vs.

The Inspector of Police,
District Crime Branch,
Vellore, Vellore District.
(Crime No.6 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No.6 of 2021 on the file of the respondent police.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.N.S.Suganthan

Government Advocate (Crl. Side)

ORDER

The petitioner who was apprehend arrest for the alleged offence under Section 409 of IPC in Crime No.6 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working as Risk Manager at Radiant Cash Management Services Private Limited, Chennai as Supervisor. The business operation of their company is to collect money they will enter into an agreement with bank as per their advice the company staffs will collect cash from bank customers all deposit the money in bank. On 21.05.2021 it is alleged that the petitioner said to have collected a sum of Rs.13,60,000/- from a customer through collection slip, but he did not pay the money to the bank. When the company staffs tried to contact the petitioner it was found to be switched off and went to his house, where he was not found.



3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner, without prejudice to his defence and contentions, on his own volition, is ready to deposit a sum of Rs.10,00,000/- to the credit of crime number. Hence, he prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) raised objection by stating that the petitioner is the sole accused and the petitioner has collected the bank money a sum of Rs.13,60,000/- from a customer through collection slip. He also submitted that there is no previous case pending against the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and the petitioner is ready to deposit a sum of Rs.10,00,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 learned Judicial Magistrate, Gudiyatham, on condition that the petitioner 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 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 is directed to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Crime No.6 of 2021 before the learned Judicial Magistrate, Gudiyatham, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to his defence in the case.

(c) the petitioner shall report before the respondent police every Tuesday and Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(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 anticipatory 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/-
23/12/2021

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,
GUDIYATHAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VELLORE, VELLORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.VINODHKUMAR Advocate on payment of necessary charges SR.NO.15510

CRL OP.23866/2021

Date :23/12/2021

JPA 04/01/2022