



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two
PRESENT

WEB COPY

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.3868 of 2022

SRAVAN KUMAR ALIAS SWARANKUMAR

[PETITIONER / ACCUSED]

Vs

STATE BY INSPECTOR OF POLICE
DCB POLICE, THIRUVALLUR,
CR NO.77/2021

[RESPONDENT]

For Petitioner : M/S.K.RAGHU RAMAN Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

For Intervenor : M/S L.K.MANJUNATH Advocate

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 offences under Sections 406, 408, 420 & 506(I) of Indian Penal Code in Crime No.77 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. This petition is filed apprehending arrest on the complaint given by the employers against the petitioner for misappropriation of funds to the tune of Rs.9 lakhs.

3. According to the defacto complainant, the petitioner herein was working as Field Officer has falsified the account and stipend the tune of Rs.9 lakhs.

4. Whereas, the petitioner herein submits that he has not involved in any misappropriation. In fact, the employers has to pay him the service benefits and salaries for a period of 9 months.

5. Learned Government Advocate (Crl. Side) appearing for the respondent pointed out that the petitioner herein in the course of his employment after being found that he has misappropriated the money and given an undertaking that he will pay Rs.9,24,028/- within a period of 6 months from 01.07.2021.



6. Considering the material available, this Court is inclined to grant anticipatory bail to the petitioner with a condition that he should deposit a sum of Rs.2.5 lakhs in this Criminal Original Petition (Crime No. 77 of 2021) on or before 20.03.2022 and shall participate in the enquiry without fail.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate, Gummidipoondi on condition that the petitioner shall execute a bond for a sum of Rs.2,00,000/- each (Rupees Two Lakhs 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.2,50,000/- (Rupees Two lakhs Fifty Thousan Only) to the credit of Crime Number 77 of 2021 before the Judicial Magistrate, Gummidipoondi on or before 20.03.2021. On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking that the sum of Rs.2,50,000/- was deposited by the petitioner to the credit of Crime Number 77 of 2021.

(b) the petitioner and the sureties shall affix his 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 not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall report before the Investigating Officer as and when required for interrogation.

(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 has 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;



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

-sd/-

28/02/2022

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,
GUMMIDIPOONDI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE
DCB POLICE, THIRUVALLUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.K.RAGHU RAMAN Advocate on payment of necessary charges SR.3090

+2 CC to M/S.L.K.MANJUNATH Advocate on payment of necessary charges SR.3115

CRL OP.3868/2022

Date :28/02/2022

RVR 04/03/2022