



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11310 of 2022

M.ARUNDHATHI

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE, (CRIMES)
T-12 POLICE STATION,
POONAMALLEE,
CHENNAI - 56
CRIME NO.122 OF 2022

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.N.KUMANAN Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

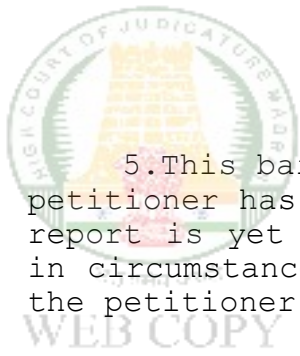
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 21.03.2022 for the alleged offence under Sections 468, 409 & 420 IPC in Crime No.122 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein is the former Branch Manager of HDFC Bank, Kattupakkam Branch. Based on the complaints received from the customers that the petitioner has misappropriated their money by forging their signatures in the cheques, a complaint has been registered against the petitioner.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The earlier bail petition filed by the petitioner in Crl.O.P.No. 8935 of 2022, was dismissed by this Court on merits by order dated 26.04.2022.



5. This bail petition has been filed mainly on the ground that the petitioner has suffered incarceration for nearly 60 days and the final report is yet to be laid by the respondent police. Therefore, change in circumstances that has been pointed out by the learned counsel for the petitioner is the entitlement of the petitioner for statutory bail.

6. In the considered view of this Court, the offences under section 409 of I.P.C., is punishable with life sentence or imprisonment which may extend upto 10 years and hence, the default bail will arise only if the final report is not filed within 90 days. This law has been settled by the judgement of this Court reported in 2015 (6) CTC 501.

7. In view of the above, this Court does not find any change in circumstances and this Court cannot re-appraise the facts once again, since earlier bail petition has been dismissed on merits.

8. In view of the same, this criminal original petition stands dismissed.

-sd/-

18/05/2022

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 INSPECTOR OF POLICE, (CRIMES)
T-12 POLICE STATION,
POONAMALLEE, CHENNAI - 56

2 THE SUPERINTENDENT,
CENTRAL PRISON, WOMEN WING, PUZHAL,
CHENNAI-66

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.11310/2022

Date :18/05/2022

JPA 20/05/2022