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CrI.OP.No.18489 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.18489 of 2022

Senthil

..Petitioner

Vs.

State Rep by
The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai.
Crime No.134 of 2022

..Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.134 of 2022 on the file of the Inspector of Police, F-4, Thousand Lights Police Station, Chennai.

For Petitioner : Mr.G.Ravikumar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

For Intervenor : Mr.D.Sathyaraj



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.07.2022 for the offences punishable under Sections 406, 420 of IPC in Crime No.134 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was working as a Manager of the defacto complainant M/s. Shriram Chits (India) Pvt.Ltd., During his tenure, the petitioner had handled the money paid by the subscribers. It is alleged that, the petitioner failed to credit the chit amount to the respective customers account and thereby made the wrong entry in the accounts and misappropriate to the tune of Rs.15,19,816/-. It is further alleged that the petitioner swindled the gold coins and silver coins which were given to the agent of the defacto complainant worth about Rs.7,01,226/- and he also removed the Air conditioners and furnitures worth about Rs.1 lakh. Hence, the case.

3.The learned counsel appearing for the petitioner would submit



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that the petitioner was working as a Manager for a long period with the defacto complainant. Thereafter, the petitioner resigned from the service and joined another company. Due to which, a false complaint has been lodged against the petitioner. However, on instructions, he would further submit that, without prejudice to his right and contention, the petitioner is ready and willing to deposit any amount as may be ordered by this Court. and prays for grant of bail to the petitioner.

4.The learned Counsel appearing for the intervenor would submit that, so far, the petitioner had misappropriated to the tune of Rs.15,19,816/-, that apart, the petitioner had also removed the Air conditioners and furnitures worth about Rs.1 lakh. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner shall deposit a **sum of Rs.2,00,000/-**



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(Rupees Two Lakh only), to the credit of the Crime No.134 of 2022,

and on such deposit, the petitioner is ordered to be released on bail on his

executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)**

with two blood related sureties, each for a like sum to the satisfaction of

the learned **XIV Metropolitan Magistrate Court, Egmore** and on

further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner without prejudice to his defence shall deposit a sum of Rs.2,00,000/-(Rupees Two Lakh only), to the credit of the Crime No.134 of 2022.

[c] the petitioner shall report before the respondent police twice daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

10.08.2022

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To

1. XIV Metropolitan Magistrate Court,
Egmore at Chennai.
2. The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai.
3. Central Prison,
Puzhal
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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