

**CrI.OP.No.20190 of 2022****M.DHANDAPANI,J.**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406, 420 of IPC in Cr.No.9 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and her husband are the customer of the defacto complainant's bank and they have approached the Bank for getting loan by pledging rice bags. The defacto complainant's Bank entered into agreement with the NCML (National Collateral Management Service Ltd.,) for appraising the value of the stock kept in the godown for sanctioning loan and the godown was maintained by the NCML staff. After the stock was valued by the NCML, the defacto complainant used to sanction loan. However, in the present case, with the collusion of the NCML staff, the petitioners sold the entire paddy without the knowledge of the defacto complainant Bank and also did not repay the loan amount, due to which, the defacto complainant sustained huge loss. Based on the complaint, the respondent police registered a case.



3.The learned counsel appearing for the petitioner submitted that this

4. The learned Government Advocate (Crl side) appearing for the

5. Taking into consideration of the facts and circumstances of the case



the defacto complainant Bank, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) Accordingly, petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Thiruvannamalai** on condition that the petitioner 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:

(b) the petitioner is directed to deposit a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) to the defacto complainant's Bank without prejudice to her defence before the trial Court within a period of four weeks from the date of receipt of copy of this order.

(c)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;

(d)the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation;

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during



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investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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

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