



Crl.O.P.No.28761 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 408 and 34 of IPC, in Crime No.263 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused/A1 & A2 who were employed as a Sales Representative and Accountant under the defacto complainant's Company have conspired together and without knowledge of the defacto complainant, who is the owner of the company sold the Electrical and Electronics items belonging to the defacto complainant, have committed criminal breach of trust and had misappropriated the amounts to the tune of Rs.60,62,000/- from the year 2019-2021 and cheated the defacto complainant. Hence the complaint.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner who is the Accountant employed under the defacto complainant Company colluded with the other accused and both of them have sold the Electrical and Electronics items belonging to the defacto complainant to the tune of Rs.60,62,000/- and cheated the defacto complainant. He would further submit that the investigation in this case is at initial stage. Hence he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the



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learned Chief Judicial Magistrate, Puducherry, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner shall deposit the title deed of the property which stands in the name of her father Mr.Balu along with the valuation report from the concerned authority.

[b] the petitioner and 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.

[c] the petitioner is directed to report before the respondent police **daily** at 10.30 a.m. for a period of eight 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.

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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.

15.12.2022

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