



Crl.O.P.No.29795 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 408, 294(b), 506(i) of IPC read with Section 34 of IPC in Crime No.145 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the employed as manager of Sri Pushpam Industries situated at Thirubhuvanai, Puducherry owned by AJ Saravanan and the petitioner herein is working as Despatch Supervisor and Cashier. The petitioner along with other persons in the above said concern, have misappropriated and swindled a sum of Rupees 2.00 Crores. Hence, the complainant.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person. He further submitted that he is an illiterate person and neither misappropriated nor swindled a sum of Rupees 2.00 Crores as alleged by the prosecution. Hence, he prays for



Crl.O.P.No.29795 of 2022

grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) submits that the petitioner along with other persons in the above said concern, have misappropriated and swindled a sum of Rupees 2.00 Crores and still investigation is going on. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the **IV 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



Crl.O.P.No.29795 of 2022

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 is directed to cooperate for investigation.

[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 10.00 a.m., for the period of six weeks and thereafter at 10.00 a.m., on every Monday and Friday for the period of three months.

[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.

[f] On breach of any of the aforesaid conditions, the



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Crl.O.P.No.29795 of 2022

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];**

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

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Crl.O.P.No.29795 of 2022

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Crl.O.P.No.29795 of 2022

13.12.2022