

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2154 OF 2023

Mr. Ganesan Muthiah Pillai Applicant
v/s.
The State of Maharashtra Respondent

**WITH
INTERIM APPLICATION NO. 2810 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.2154 OF 2023**

Black Rose Industries Ltd.Intervenor

In the matter between :-

Mr. Ganesan Muthiah Pillai Applicant
v/s.
The State of Maharashtra Respondent

Mr. Shadab Khopekar i/b. Mr. Tahir Qureshi for the Applicant.
Mrs. A.A. Takalkar, APP for the State.
Ms. Vidhi Karia i/b. Jaykar Partners for the Intervenor.
Mr. Kedar Chavan, PSI, Cuffe Parade Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 08th AUGUST, 2023.

P. C. :-

. The Applicant apprehends his arrest in C.R.No.88/2023 registered with Cuffe Parade Police Station, Mumbai for offences punishable under sections 408, 420, 477-A of the Indian Penal Code.

2. Heard learned counsel for the Applicant, learned APP for the

State and learned counsel for the Intervenor. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The Applicant was working as a Manager in Logistics Department in Black Rose Industries Pvt. Ltd. It is alleged that during his employment with the said company, the Applicant misused his position, prepared false quotations in the name of vendors based on which he assigned orders to vendors at higher rates and took an amount equivalent to 5-20% of the excess bills. It is not in dispute that the Applicant had resigned from the Company on 30/05/2022. It is stated that the first informant had made complaint applications on 09/08/2022 and 16/09/2022. The FIR is registered on 08/04/2023. Prima facie, there is delay in registering the crime. The Complaint was filed several months after the Applicant had tendered his resignation.

4. Considering the nature of the accusations against the Applicant, in my considered view, this is not a case to justify custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in

C.R.No.88/2023 registered with Cuffe Parade Police Station, Mumbai, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer as and when required ;

(c) The Applicant shall not interfere with the first informant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application for Anticipatory Bail and the Interim Application stand disposed of in above terms.

PREETI
HEERO
JAYANI

Digitally signed
by PREETI
HEERO JAYANI
Date: 2023.08.11
11:28:53 +0530

(SMT. ANUJA PRABHUDESSAI, J.)