



CRL.O.P.No.6226 of 2023

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T.V.THAMILSELVI,J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 406 and 420 of I.P.C, in Crime No.158 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as a branch Manager of Radhakrishnan Finance Private limited and he along with other accused entered into a criminal conspiracy and thereby cheated the company's jewels and money to the tune of Rs. 9,03,983/-. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offences as alleged by the prosecution and the main accused in this case is A2. However, he has paid a sum of Rs.1,50,000/- to the company and the same has been acknowledged by the Regional Manager of the said company. Hence prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner is holding a responsible post in company of handling accounts and thereby he misused his position and cheated the companies

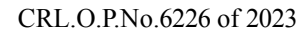


funds and gold jewels to the tune of Rs. 9,03,983/-. Hence he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees One lakh Fifty Thousand only) to the credit of Crime No.158 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Madukkarai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties (out of which one blood related surety) 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 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.

[b] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.



[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 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.

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