



Crl.O.P.No.10564 of 2023

Crl.O.P.No.10564 of 2023

A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 465, 467, 468, 471, 419, 420 & 34 IPC, in Crime No.71 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner by making false entries in the service register had obtained unlawful and illegal gain to the tune of Rs.3,54,160/- from the Department. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would submit that due to some discrepancy in the official documents, a false complaint has been given against him. However, he would submit that based on enquiry, the petitioner was asked to repay the excess amount received by him and it has also been deducted from A2's account. He would further submit that the petitioner was also issued a notice under Section 41(A) Cr.P.C., and the petitioner has appeared for



Crl.O.P.No.10564 of 2023

enquiry before the respondent. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with A2 by fabrication and making false entries in the service register caused loss of Rs.3,54,160/- to the Department.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Metropolitan Magistrate, Special Court for CCB and CBCID Cases for



Crl.O.P.No.10564 of 2023

Metro case, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, every Saturday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.



WEB COPY



Crl.O.P.No.10564 of 2023

A.D.JAGADISH CHANDIRA,J.

Anu

[e] 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]**.

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

28.06.2023

Anu

Crl.O.P.No.10564 of 2023