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Crl.O.P.No.15842 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 409 & 34 of IPC in Crime No.10 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioners are falsely implicated in this case and they had no role, what so ever, in missing of cash of Rs.29,00,000/- and one gold packet containing jewels pledged for gold loan. Co-accused A4 & A5 were also granted anticipatory bail in Crl.O.P.No.10990 of 2023. Apprehending arrest in Crime No.10 of 2023 registered for the offences under Sections 409 & 34 of IPC , this petition is filed by the petitioners.

3. In response, learned Additional Public Prosecutor (Puducherry) submitted that 1st accused was the manager of the UCO Bank, Yanam branch. Petitioners are Assistant Manager and Single Window Operator, respectively. A1/Mr.Vissapragada



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committed suicide on 11.10.2022. On the same day after noon, 1st petitioner came to bank and found shortage of Rs.29,00,000/- and also one gold jewel packet. She reported this to the head office. On the suspicion that petitioners may have had some knowledge about the 1st accused criminal act, complaint was given against them also. They may be required to cooperate properly with the investigating officer.

4. In the circumstances, where it is specifically alleged that it was A1, who was mainly responsible for taking Rs.29,00,000/- and one gold jewel packet and this complaint is registered against the petitioners on suspicion that they might have colluded along with the other accused, this Court is of the view that, custodial interrogation of the petitioners is not necessary, considering their status and that they will cooperate with the investigation. Further, co-accused A4 Nagalakshmi, who obtained a joint loan and her husband/A5 had also obtained anticipatory bail in Crl.O.P.No.10990 of 2023.

5. Considering the facts and circumstances, petitioners are ordered to be released on bail in the event of arrest or on their



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appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Yanam, Puducherry**, on condition that the each of the petitioners shall execute a separate 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 Petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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



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

[e] On breach of any of the aforesaid conditions, the 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].

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

20.07.2023

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