



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.22588 of 2022

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P.Krishnaveni

...Petitioner/Sole Accused

-vs-

The State represented by
The Inspector of Police,
District Crime Branch,
Karur District.
(in Cr.No.31 of 2022)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of her arrest by the respondent Police with respect to Cr.No.31 of 2022.

For Petitioner : Mr.M.Pandian, Advocate

For Respondent : Mr.A.Albert James
Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 420, 467 and 468 of IPC in Crime No.31 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, Balaram Das, Regional Manager, State Bank of India, Karur, is that the petitioner was working as Clerk in the bank and by fraudulent means, the petitioner has misappropriated amounts to the tune of Rs.36,63,892/- and cheated the bank. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that the petitioner is a lady and she was appointed in State Bank of India during the year 2016 and she has rendered unblemished service. The learned Counsel would also submit that initially enquiry was conducted and the petitioner was subjected to coercion and she was made to sign the documents stating that she is responsible for the amount. It is his further submission that the petitioner is now at the verge of promotion as Assistant Manager. He would also submit that due to some misunderstanding with the higher officials, the petitioner has been



targeted. He would also submit that the petitioner being made as a scapegoat and earlier, an allegation was made against the petitioner that she had misappropriated certain jewels and later an enquiry was conducted and in the enquiry, it was found that the petitioner has not done any misappropriation.

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4.He would also submit that the internal disciplinary committee of the bank is conducting enquiry and the petitioner has also been appearing regularly for the enquiry and the entire case of the prosecution is borne out from documents and the petitioner is now suspended and she is also facing disciplinary charges. He would also submit that the petitioner has not absconded and she is ready to appear before the respondent for enquiry. Hence, he would pray for anticipatory bail to the petitioner.

5.The learned Government Advocate (crl.side) would submit that the petitioner was employed as a Clerk working in the Karur Branch during the relevant period, by fraudulent and fabrication of documents, she had cheated the bank to the tune of Rs.36,63,892/-. Hence, he would strongly oppose to grant anticipatory bail to the petitioner.

6.Heard the learned Counsel and perused the materials available on record. Taking into consideration the facts and submissions and also on perusing the materials available on record including the F.I.R., 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Karur, 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 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 everyday at 06.30 p.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.

[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.

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.THE JUDICIAL MAGISTRATE NO.I, KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KARUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.PANDIAN, Advocate (SR-2174[I] dated 10/02/2023)

ORDER

IN

CRL OP(MD) No.22588 of 2022

Date :08/02/2023

RK/SBN/SAR-4 (16/02/2023) 4P/6C