

Crl.O.P.No.989 of 2024**C.V.KARTHIKEYAN, J.**

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The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 408, 420 and 506(i) of I.P.C, in Crime No.27 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The petitioner is the wife of the first accused. It is the case of the de-facto complainant that the father in law of the de-facto complainant is doing footwear business in the name of M/s.Saleem Brothers. The first accused was working as a Manager in the above said company situated at No.24, SSR Nagar, Cuddalore.

3. It is stated that the first accused was taking care of the business. During internal audit it was found that the first accused had misappropriated a sum of Rs.1,24,84,685/- between the years 2017 and 2023. When the de-facto complainant questioned the petitioner and other accused, they had stated that they will return the above said amount within 2 months. Thereafter, the petitioner and other accused refused to return the amount and threatened him with dire consequences. The petitioner and other accused had thus cheated the de-facto complainant.



4. The learned Counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

Hence, he prayed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 Judicial Magistrate No.II, Cuddalore**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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.



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**[b] the petitioner shall report before the respondent Police, at 10.30 a.m., for a period of one week until further orders;. However let a copy of this order to forward by the Registry to the learned Judicial Magistrate No.II, Cuddalore and also to the learned Principal Sessions Judge at Cuddalore who may if any application is filed by the first accused in Crime No.27 of 2023, may also note that this Court can actually grant the liberty to the petitioner to ensure that the first accused also subsequent himself to judicial process and that the allegations as against the said accused are extremely serious in nature.**

[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]**.



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

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