



CrI.O.P.No.4654 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.4654 of 2024

Manivannan

...Petitioner

Vs.

State represented by
The Inspector of Police,
District Crime Branch,
Tiruvannamalai District,
Tiruvannamalai.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.7 of 2023 on the file of the respondent Police.

For petitioner : Ms.B.Yogapriya

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner who was remanded to judicial custody on 30.01.2024 for the offences registered by the respondent Police under Section 420 of IPC, in Crime No.7 of 2023 seeks bail.



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2.The case of the prosecution is that A1, Deputy Manager, State Bank of India, Vandavasi Branch, had obtained forged records and sanctioned agricultural loan to unqualified persons. It had been stated that the amount was paid by this petitioner who was running customer service center. A sum of Rs.10,51,000/- was the loss suffered by the Bank.

3.The learned counsel for the petitioner stated this petitioner was not responsible either for sanctioning of the loan or for having the authority to disburse the loan. He was only following the instructions of A1, who was the Deputy Manager, State Bank of India, Vandavasi Branch. The learned counsel further stated that this petitioner was only running a customer service center and the main object of such center is to comply with the direction given by the Manager (incharge) of the Branches of State Bank of India.

4.The learned Government Advocate (crl.side) stated that A1 is still absconding and steps have been taken to secure him.

5.Taking into consideration the period of incarceration and all other surrounding factors, this Court is inclined to grant bail to the petitioner



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subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tiruvannamalai and on further conditions that :-

[a] 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 10.30 a.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.7 of 2023 and on such deposit, the learned Judicial Magistrate No.I, Tiruvannamalai, on application filed by the defacto complainant, may return it back to the defacto complainant, with a proper undertaking and ensuring that the defacto complainant address it was the outstanding to the State Bank of India, Vandavasi Branch, with respect to the loan advanced.

[d] the petitioner shall not abscond either during



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investigation or trial.

[e] the petitioner shall not tamper with evidence or witness 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.

15.03.2024

vkr

To

- 1.The Judicial Magistrate No.I, Tiruvannamalai.
2. The Central Prison, Vellore.
3. The Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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