Crl.O.P.No.12021 of 2024

C.SARAVANAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.49 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant is that the petitioner worked as a Accountant in the de facto complainant's company and she was entrusted the works to monitor and record all the day to day office transaction. On 30.10.2023, she was relieved from the company in the manner known to law. The petitioner had handed over the laptop and sent resignation mail. While so, the petitioner was called for an enquiry and found that the de facto complainant had given a complaint that she had siphoned the funds of the company and a FIR was registered against the petitioner. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. Mr.R.Vinothraja, learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner along with A1 had cheated and caused a heavy loss of more than 35 lakhs to the de facto complainant's company and hence, prayed for dismissal of anticipatory bail.

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

6. By order in Crl.OP.No.11100 of 2024, anticipatory bail was granted to co accused (A1), namely, Venkatesh, and he was directed to deposit a sum of Rs.12,50,000/- to the credit of the respective crime number. The petitioner, who was also working as Accountant in the de facto complainant's company has also come forward before this Court for

Anticipatory Bail under Section 438 of Cr.P.C, stating that she has no role to play in offence alleged.

7. Having considered the submissions made by the learned counsel for the petitioner and the learned Public Prosecutor this Court is inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the petitioner is directed to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Crime No.49 of 2024, within a period of four weeks from the date on which the order copy is made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her/his appearance, before the **learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai,** 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 deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousands only) to the credit of Crime No.49 of 2024, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

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

[g] 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].**

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

22.05.2024

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C.SARAVANAN,J.

vca

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