



Crl. O.P. No.19103 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 406, 408, 420 and 120-B of IPC in connection with the Cr. No.98 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner who was working as a Purchase Manager colluded with one Marthal S @ Jacklin, a 'support service staff' and prepared high value purchase bills and received commission directly from the suppliers of the defacto complainant company and cheated the defacto complainant company to the tune of Rs.20 lakhs. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the respondent police have registered a false case against this petitioner for the offences under Sections 406, 408, 420 and 120-B of IPC, that even as per the prosecution case, the petitioner was working as a purchase manager and she along with one Marthal S @ Jacklin, who was working as 'support service staff' colluded and prepared high value purchase bills and received commission directly from the suppliers of the



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defacto complainant and cheated the defacto complainant's company to the tune of Rs.20 lakhs, thereby misappropriated and caused loss to the defacto complainant, in fact, the petitioner is working as Purchase Manager for the past 5 years and her colleague Marthal S @ Jacklin was working as 'support service staff' for the past past 4 years, that they left their job due to continuous sexual harassment faced by them at work place, that due to that enmity, the defacto complainant has lodged a false complaint and she is ready to abide by any condition imposed by this Court . Hence he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that the petitioner is the employee of the defacto complainant's company and while she was working under the defacto complainant, she along with one Marthal S @ Jacklin, has committed misappropriation of amount and cheating to the tune of Rs.20 lakhs, that they have manipulated purchase orders for the higher value and investigation is at initial stage and hence he objected for the grant of anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervener / defacto complainant has also objected to grant anticipatory bail to the petitioner by stating that the petitioner, being the company staff of the defacto



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complainant, has prepared high value purchase bills along with other accused and claimed excess amount and thereby, committed loss to the tune of Rs.20 lakhs.

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

7. Considering the arguments putforth on either side, considering the nature of offences charged against the petitioner, considering the fact that there is no previous case pending against these petitioner and the petitioner is ready to furnish security for the grant of her anticipatory bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following 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 District Munsif-cum-Judicial Magistrate, Sholinganallur** on condition that the petitioners 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 learned Magistrate concerned and on further condition that:



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[a] the petitioner shall furnish document before the trial Court to the value of Rs.2 lakhs for security purpose either in her name or in the name of any other person;

(b) the petitioner shall report before the respondent police on everyday at 10.00 a.m. until further orders.

[c] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[d] the petitioner shall not leave India without the previous permission of the Court;

[e] the petitioner shall not abscond 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered



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under Section 269 B.N.S.2023.

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To

- 1.The District Munsif-cum-Judicial Magistrate, Sholinganallur
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Kannathur Police Station, Tambaram City, Chennai.

P.DHANABAL,J
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