



Crl.O.P.No.19285 of 2024

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WEB C **P.DHANABAL,J.**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 409, 403, 120(b) and 420 IPC Corresponding to Sections 316(5), 314, 61(2) and 318(4) of BNS, in Crime No.441 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner while she was working as an Accountant in the defacto complainant's company, in collusion with the other accused, misappropriated the company amount and thereby, caused loss to the tune of Rs.75 lakhs to the defacto complainant. Hence, the case.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner handed over a demand draft (D.D.No.372789 dated 21.08.2024, UCO Bank, Velachery) for a sum of Rs.4 lakhs to the learned counsel for the defacto complainant to show the bonafide of the petitioner and he has also filed a memo to that effect and prayed to grant anticipatory bail to the petitioner.

4. Though the learned counsel for the intervenor/defacto complainant received the demand draft, she opposed to grant anticipatory bail to the petitioner stating that even though in the initial complaint it is stated



that the amount misappropriated by the petitioner is Rs.6,25,000/-, after through verification it was found that a sum of Rs.24,39,000/- has been misappropriated by the petitioner and the total misappropriated amount is Rs.75 lakhs.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner/A3 along with A1 and A2 misappropriated the company amount to the tune of Rs.75 lakhs. He also submitted that the investigation revealed that a sum of Rs.24,39,000/- has been misappropriated by the petitioner. He further submitted that the other accused are still in custody.

6. Considering the submissions of both sides and the fact that the statement of the material witness has been recorded by the Investigating Officer, all the accused were already secured by the police and part of the amount was paid and also considering the other aspects, 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 (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.2, Alandur**, 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



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officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S

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To

- 1.The Judicial Magistrate No.2, Alandur.
- 2.The Inspector of Police (Crime),
T-14, Pallikaranai Police Station, Chennai.
- 3.The Public Prosecutor, High Court, Madras-600 104.



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