



Crl. O.P. No.23278 of 2024

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P. DHANABAL.J.,

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The petitioner / 3rd Accused, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 409, 420, 465, 467, 468, 471, 120-B r/w 34 of IPC in connection with the Cr. No.41 of 2024, seeks anticipatory bail.

2. The Chief Manager, Regional Head, Sales, Cards and Personal loans in ICICI Bank Limited, Purasawalkam has lodged a complaint before the Commissioner of Police, Chennai stating that A1 to A10 along with listed 59 customers and unknown persons have conspired together with dishonest intention of cheating the bank, submitted the applications for personal loan and credit card facilities and caused wrongful loss to the ICICI Bank to the tune of Rs.3,02,71,885/- and hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case as against the petitioner for the offences under Sections 409, 420, 465, 467, 468, 471, 120-B r/w 34 of IPC. In fact, the petitioner has been falsely implicated in this case. On enquiry, it came to know that A1 Sathish, A6 Sharmila and ICICI Bank



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employees Jawahar, Perumal, Karthick colluded themselves and utilized the petitioner's testimonials, had opened the bank account in the name of IRS Metronics Pvt. Ltd., The said Sathish and others had done various fake and artificial transactions, identities and committed a scam. The petitioner is no way connected with the said IRS Metronics Pvt. Ltd. or the other fake transactions. The petitioner did not benefit a single pie from the alleged scam. There is no connection between the petitioner and the other accused persons in any way. The petitioner is an innocent and he has not committed any offence and he has been falsely implicated in this case. Already investigation was completed and co-accused were also granted bail. Hence, the petitioner may be released on anticipatory bail.

4. The learned Government Advocate (Criminal Side) would submit that the defacto complainant lodged a complaint as against the petitioner and others and based on the complaint, they registered the case and investigated. As per the investigation, this petitioner has also involved in this case. He is the Director of IRS Metronics Pvt Ltd., and also availed loan in the name of his previous wife Valarmathi and the offences are grave in nature. This petitioner has colluded with other accused, helped to create fabricated documents of ineligible employees and availed loan and



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hence he strongly opposed to grant anticipatory bail to the petitioner.

However, he admitted that investigation was already completed.

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

6. Considering the rival submissions on either side, considering the nature of offences, considering the fact that already investigation was completed and there is no previous case pending against this petitioner, even according to the prosecution, the alleged offences are borne out of records and hence there is no scope for tampering the evidence and also considering the fact that already the co-accused were released on 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.1, Alandur** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with



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two sureties each for a like sum to the satisfaction of the learned

Magistrate concerned and on further condition that:

[a] the petitioner shall report before the concerned jurisdictional Magistrate Court on all working days at 10.30 a.m. until further orders.

[b] 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;

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

[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered



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under Section 269 B.N.S.2023.

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28.10.2024

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To

- 1.The Judicial Magistrate No.1, Alandur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Central Crime Branch-I, Chennai.

P.DHANABAL,J
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