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CrI.O.P.No.26402 of 2023

C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 420, 465, 468 and 471 of IPC in Crime No.374 of 2023 on the file of the respondent, seeks anticipatory bail.

2.It is stated that the defacto complianant is the Bank Manager in IDFC First Bharat Limited, Velankanni Branch who had stated that the petitioner herein who was working as Relation Manager (Group Loan) had failed to deposit the collection amount and misappropriated a sum of Rs.1,50,160/-.

3.It is the contention of the learned counsel that the petitioner had joined only on 18.03.2019 and had been promoted as a Relation Manager (Group Loan) on 18.11.2021 and he used to collect money from Magalir Suya Udhavi Kuzhu and deposited the same with the branch. It is stated that a false compliant had been lodged.



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4.Let me not enter into any further discussion, but I would direct the petitioner to deposit a sum of Rs 25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.374 of 2023 and on such deposit, the learned District Munsif -cum- Judicial Magistrate, Keezhvelur, may transfer the same amount to any interest earning fixed deposit account in anyone of the Nationalized Banks and pass final orders on conclusion of trial. If the petitioner is acquitted, the amount with interest may be handed back to the petitioner and if the petitioner is convicted, the amount with interest may be handed over to the defacto complainant.

5.With the above observations, this Court is inclined to grant anticipatory bail to the petitioner and with certain conditions.

6.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 learned District Munsif -cum- Judicial Magistrate, Keezhvelur, 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



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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 report before the respondent police everyday at 10.30 a.m., until further orders.

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

[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]**.



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

08.02.2024

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