



Crl.O.P.No.28464 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest in connection with Crime No.63 of 2021, registered under Section 420 of IPC, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, as per defacto complainant, V.Venugopal, Branch Manager of Nangavalli Branch of Belstar Micro Finance, that the petitioner who was authorised to collect the amounts from the Self Help Group had collected an amount of Rs.1,72,915/- from 28 members of the Self Help Group and deposited only Rs.6,066/- and misappropriated the balance amount. Hence, the case.

3. Learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. She would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the



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respondent police, while opposing for grant of anticipatory bail to the petitioner, would submit that petitioner had collected an amount of Rs.1,72,915/- from 28 members of the Self Help Group and deposited only Rs.6,066/- and misappropriated amounts to the tune of Rs.1,66,849/- .

5. At this juncture, the learned counsel appearing for the petitioner submitted that the petitioner, without prejudice to his defense and contention, is ready and willing to deposit an amount of Rs.50,000/- to the account of the defacto complainant. Hence, she prayed for grant of anticipatory bail to the petitioner.

6. Heard the learned Counsel for the Petitioner, the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

7. On considering the voluntary submission made by the learned counsel appearing for the petitioner, the petitioner is directed to deposit a **sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the**



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credit of Crime No.63 of 2021, without prejudice to his rights and contentions before the trial Court.

8. Merely because the petitioner deposits the said amount, it would not amount to admission of his guilt.

9. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

10. 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 Judicial Magistrate-II, Mettur**, on condition that the **petitioner shall deposit Rs.50,000/- to the credit of Crime.No.63 of 2021 before the learned Judicial Magistrate-II, Mettur** and he shall also execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties, each for a like sum to the satisfaction of the respondent police or



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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 his 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., for a period of two weeks and thereafter on every Saturday 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



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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 absconds, a fresh FIR can be registered under Section Section 269 of B.N.S.

14.11.2024

dsn

A.D.JAGADISH CHANDIRA, J.



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