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Crl.O.P.No.30268 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.12.2024

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30268 of 2024

T.V.Guru Krishnan

.... Petitioner

Vs

The State
represented by its
The Inspector of Police,
District Crime Branch,
Kancheepuram,
Kancheepuram District.
(CCB Crime No.16 of 2024)

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest in connection with Crime No. 16 of 2024 pending on the file of the respondent police.

For Petitioner : Mr.G.Rajagopalan
Senior Counsel
for Mr.Stalin Thiaga Raja

For Respondent : Mr.S. Santhosh
Government Advocate (Crl.Side)

ORDER



Crl.O.P.No.30268 of 2024

Apprehending arrest in connection with Crime No.16 of 2024

registered for the offences punishable under Sections 465, 468, 471, 420 and 34 of IPC, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution, as per the defacto complainant Victor Raj Pandian, General Manager HR and Administration, Young Brand Apparel Private Limited, is that the accused, who were erstwhile employees, worked as Senior Manager, HR and Administration, Chief Financial Officer and Senior Executive, HR and Administration, colluded with each other, fabricated the documents, submitted fake claim bills and misappropriated funds to the tune of Rs.20,86,200/-. Hence, the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioner/A2 had worked as the Chief Financial Officer under the previous management and after the company was taken over by the present management he tendered his resignation, citing anomalies in the account numbers attached by the earlier management. Therefore, a false



Crl.O.P.No.30268 of 2024

complaint has been given alleging that the petitioner had colluded with others and misappropriated to the tune of Rs.20,86,200/-. He further submitted that the petitioner was working for the past 14 years with unblemished service and is ready to co-operate with the respondent for investigation. He also submitted that as per the complaint, the amount is said to have been transferred to the account of A1.

4. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner, along with other accused colluded with each other, fabricated the documents, submitted fake claim bills and misappropriated funds to the tune of Rs.20,86,200/-. Hence, the case.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and 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 of receipt of a



Crl.O.P.No.30268 of 2024

copy of this order, before the learned Judicial Magistrate No.I, Kancheepuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each with two sureties, each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks, 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 conditions have been imposed and the petitioner released on



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Crl.O.P.No.30268 of 2024

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 269 of BNS.

09.12.2024

Index : Yes/No
Internet : Yes/No
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To

1.The Inspector of Police,
District Crime Branch,
Kancheepuram,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

A.D.JAGADISH CHANDIRA, J,



WEB COPY



Crl.O.P.No.30268 of 2024

Lpp

Crl.O.P.No.30268 of 2024

09.12.2024