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Crl.O.P.No.31494 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31494 of 2024

Praveenkumar

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
DCB - Salem,
Salem District.
(Crime No.05 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.05 of 2024 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.05 of 2024 registered for
the offences punishable under Sections 120(B), 477(A), 409 r/w.109 IPC, is on
board for consideration.

2.The incarceration of the petitioner being from 14.11.2024 pleading



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innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is merely a Customer Relationship Officer and acted solely in accordance with the instructions of the first accused, the Manager of the bank. He also submits that the allegation against the petitioner is that he is said to have assisted the main accused. He also submits that there is no money transaction involving the petitioner. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused, who was the employee working in the Sankari Unit of the Bandhan Bank, had colluded with other accused, falsified the accounts and committed breach of trust by not disbursing the loan amounts to the persons, who had availed loans from their bank, and caused misappropriation to the tune of Rs.2,20,00,000/-. He also submits that there are totally 338 victims and further, the investigation in this case is still pending and no amount was recovered till date. Therefore, if the petitioner is released on bail, there is a possibility of him absconding and tampering the evidence.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused



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the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, (out of which, one surety should be a blood related surety) each for a like sum to the satisfaction of the learned **Judicial Magistrate No.VI, Salem**, and on further conditions that:

[a] 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 abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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



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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 B.N.S.

17.12.2024

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To
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1.The Judicial Magistrate No.VI, Salem

2.The Inspector of Police,
DCB-Salem,
Salem District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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