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CrI.O.P.No.31903 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

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

CrI.O.P.No.31903 of 2024

K.Malligamani

... Petitioner

Vs.

State, Rep. by,
The Inspector of Police,
District Crime Branch,
Salem. (Crime No.5 of 2024).

... Respondent

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

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate

ORDER

Petition seeking bail in respect of Crime No.5 of 2024 registered for the offences punishable under Sections 120(B), 477(A), 409 and 109 of IPC is on board for consideration.

2. The incarceration of the petitioner/A2 being from 14.11.2024 pleading innocence on the part of the petitioner and false implication in the case,



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the learned counsel for the petitioner seeks indulgence of this Court. He also submits that petitioner, who was working as a Cashier in the Bandhan Bank, Sankagiri Unit, is in no way connected with the alleged offence and she had acted only on the instructions of her Manager/A1 and other than that the petitioner has no role in this crime. He further 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 Sankagiri 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.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused 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 her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand**



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only) with two sureties, 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 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 under Section 269 of B.N.S.

20.12.2024

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A.D.JAGADISH CHANDIRA, J.
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To

1.The Judicial Magistrate No.VI, Salem

2.The Inspector of Police,
District Crime Branch,
Salem,

3. The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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