



WEB COPY



CrI.O.P.No.31754 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

CORAM

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

CrI.O.P.No.31754 of 2024

T.Manojkumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
District Crime Branch, Salem,
Salem District.

(Crime No.5 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.5 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Saravanan

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 IPC is on board for consideration.



Crl.O.P.No.31754 of 2024

2. The incarceration of the petitioner being from 14.11.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He submitted that 338 persons have applied for loan and the subordinate officers, without properly verifying the documents, had processed and handed over it to the petitioner. Believing the same, the petitioner had processed the loan. Since they have refused, a case has been registered against the petitioner. He further submits that the petitioner was summoned by the respondent for enquiry and he was regularly appearing before the respondent for enquiry. While so, he was arrested. He also submit that the entire case of the prosecution is borne out by the documents and that the petitioner is ready to co-operate for the investigation. He would further submit that the co-accused has been enlarged on bail in Crl.O.P.No.31494 of 2024. Hence, he prayed for bail.

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



CrI.O.P.No.31754 of 2024

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 his executing 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 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;



WEB COPY



Crl.O.P.No.31754 of 2024

A.D.JAGADISH CHANDIRA.,J.

Anu

[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.

19.12.2024

Anu

To

1. The Judicial Magistrate No.VI, Salem

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

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.31754 of 2024