



CRL OP(MD) No.2423 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Sixteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2423 of 2024

BASKARAN

... Petitioner / Sole Accused

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.22 OF 2023.)

... Respondent / Complainant

For Petitioner : Mr.R.Anand, Advocate
for M/s.R.Ponkarthikeyan, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO.22/2023 ON THE FILE OF
THE RESPONDENT POLICE.



CRL OP(MD) No.2423 of 2024

ORDER : The Court Made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 406, 409 and 420 of IPC in Crime No.22 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Zonal Manager of the State Bank of India, Tuticorin. The State Bank of India, Thalavaipuram Branch, is under the control of the defacto complainant. During the period between 01.03.2018 to 26.09.2018, the Branch Manager namely Baskaran had sanctioned loans to 16 ineligible applicants under the Mudra loan scheme to the tune of Rs.32,75,000/-, without obtaining proper documents and by receiving illegal gratification. The accused has committed loss to the Bank to the tune of Rs.33,87,714. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, he would further submit that, the petitioner is ready and willing to deposit Rs.5,00,000/- to the credit of Crime No.22 of 2023 before the learned Judicial Magistrate No.II, Virudhunagar, without prejudice his rights and contentions before the concerned trial Court. Hence, he seeks for anticipatory bail.



CRL OP(MD) No.2423 of 2024

WEB COPY

4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the investigation is yet to be completed.

5.Heard. Perused the materials available on record including the First Information Report.

6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Virudhunagar, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), 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 learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of four weeks from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or



CRL OP(MD) No.2423 of 2024

Bank pass Book to ensure their identity;

WEB COPY

(c) as per the undertaking given by the petitioner, the petitioner shall make a payment of Rs.5,00,000/- (Rupees Five Lakhs only), to the credit of Crime No.22 of 2023 before the learned Judicial Magistrate No.II, Virudhunagar, without prejudice to his rights and contentions, within a period of four weeks from the date of receipt of a copy of this order;

(d) On such deposit, the learned Judicial Magistrate No.II, Virudhunagar, shall deposit the said amount in a Nationalised Bank, so that, the amount accrues interest and the same can be disbursed depending upon the outcome of the trial;

(e) the petitioner shall report before the respondent Police as and when required for interrogation;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) the petitioners shall not abscond either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



CRL OP(MD) No.2423 of 2024

Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

WEB COPY

(i)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC;

sd/-

16/02/2024

/ TRUE COPY /

/02/2024

Sub-Assistant Registrar

(C.S. I / II / III /IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

INDU

To

1.The Judicial Magistrate No.II,
Virudhunagar.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
District Crime Branch,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-1971[I] dated 16/02/2024)



CRL OP(MD) No.2423 of 2024

ORDER
IN
CRL OP(MD) No.2423 of 2024
Date :16/02/2024

ED/ VR /SAR- (27/02/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023