



CRL OP(MD). No.18912 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Krishnaveni

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
District Crime Branch,
Trichy District.
(Crime No.75 of 2024)

... Respondent / Complainant

For Petitioner : Mr.G.Mohan Kumar,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 75 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for



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the alleged offences under Sections 403 and 409 of IPC, in Crime No.75 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a former employer of the State Bank of India. As per the audit conducted on 02.08.2023, it was found that jewels were not redeemed by customers during the period from 1996 to 2019 and when it was verified, 9 packets measuring 349.60 grams was found missing. That apart, false records were also created as if jewels were returned back in the year 2001, 2008, 2016, 2017, 2019 and 2022. The delivery letters were also not found. Hence, the allegation is that the petitioner had taken away the jewelry.

3. The petitioner took a stand that she joined the bank in the year 2020 as a field officer and thereafter, was promoted as an Accountant in the year 2021. Since there was no field officer available, the petitioner was given the additional charge of a field officer. The petitioner took a stand that her mother had pledged jewels weighing about 66.20 grams in State Bank of India and availed loan. An auction notice dated 04.05.2024 was issued and aggrieved by the same, the petitioner's mother filed a writ petition stating that she is willing to redeem the jewels by paying the entire outstanding amounts. The grievance is that the defacto complainant bank has not returned the jewels and the petitioner's mother was having sufficient proof in the form of receipts and photographs and as a counterblast, the complaint has been given



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by the bank. Apart from that, it was also contended that the records that were audited stated that it has been maintained in a proper manner. In fine, the petitioner was placing strong reliance on the RFIA audit report.

4. When the matter came up for hearing on 06.11.2024, this Court passed the following order:-

“Considering the allegations made against the petitioner, enquiry can be conducted by the investigation officer, since the petitioner is having all the records to prove that the allegation made against her is false.

2. In view of the above, there shall be a direction to the petitioner to appear before the respondent police on 12.11.2024 at 11.30 a.m. The enquiry shall be conducted and the petitioner shall cooperate for the enquiry by furnishing all the relevant documents before the respondent police.

3. The petitioner shall also appear for enquiry as and when required by the respondent police.

4. In the mean time, the learned Government Advocate (Criminal Side) shall take instructions on the further course of action to be taken based on the enquiry to be conducted in this case.

5. Post this petition for hearing on 04.12.2024.”

5. When the matter was taken up for hearing today, the learned Government



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Advocate (Criminal Side) submitted that the petitioner attended for enquiry and gave a statement. However, the statement given by the petitioner went contrary to the allegation made by the bank. The bank has also submitted the relevant records.

6. Heard the learned counsel on either side and perused the material records of the case.

7. Taking into consideration the facts and circumstances of the case and considering the fact that the entire case is borne out by records and the petitioner has already attended enquiry before the respondent police, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Trichy, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar



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card or Bank Pass Book to ensure their identity.

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[b] the petitioner shall report before the respondent police on every Monday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

[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 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, 2023.

sd/-
04/12/2024

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/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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1 THE JUDICIAL MAGISTRATE
NO.I, TRICHY.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE DISTRICT
CRIME BRANCH TRICHY DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-14978[I] dated 05/12/2024)

ORDER
IN

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Date :04/12/2024

PSP/ VR /SAR /09.12.2024/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified
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