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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.552 OF 2024

Shivakumarbabu Kondannagari ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Kuldeep Nikam (Through Video Conferencing) a/w Om Latpate, for the Applicant.
Mr. C. D. Mali, APP, for the Respondent-State.
Mr. Karansingh Rajput, for the Original Complainant.
P.S.I. Ashok Shirke, Nigdi Police Station, District - Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 19 SEPTEMBER 2025

PC:-

1. This is an Application filed under Section 438 of the *Code of Criminal Procedure, 1973*, seeking pre-arrest bail in connection with CR No.509 of 2023 registered with the Nigdi Police Station, Pimpri Chinchwad, District-Pune for the offence punishable under Section 406 of the *Indian Penal Code, 1860*.

2. Mr. Kuldeep Nikam, learned Counsel for the Applicant submitted that the Applicant is not involved in the crime. He submits that in any case, the Applicant has been protected since 29th February 2024. Thereafter, the Charge-sheet has been filed on

1st July 2025 and therefore investigation is completed. He therefore submits that the Anticipatory Bail Application be disposed of in terms of the order granting interim protection.

3. On the other hand, Mr. Mali, learned APP and Mr. Rajput, learned Counsel for Respondent No.2-Original Complainant, strongly oppose the Anticipatory Bail Application. Both of them submit that the offence is very serious and therefore the Anticipatory Bail Application be dismissed.

4. Perusal of the record shows that a learned Single Judge has granted interim protection by Order dated 29th February 2024, which has remained in operation till date. In Paragraph No.3 of the said Order dated 29th February 2024 the learned Single Judge has set out the prosecution case, which reads as under :-

“3. The F.I.R. is lodged by one Santosh Purohit who was working with Garware Technical Fibers Ltd. in the legal department as Manager. The gist of the F.I.R. is that the informant's company had Supply Chain department. One Hemchandra Rao had placed an order of nylon net in April and May 2023. He had paid Rs.4,50,000/-. Subsequently it transpired that, Hemchandra Rao did not receive those goods. Even the dealer who was to complete that order had not received the goods. Therefore, the informant's company made enquiries. The

F.I.R. mentions that one Sudip Sinh was Head of the agriculture department. The F.I.R. mentions that Sudip did not give satisfactory answers. According to the informant, Sudip had misappropriated the goods worth Rs.4,49,348/-. On this basis, the F.I.R. was lodged.”

5. As noted herein above, the learned Single Judge by ad interim order dated 29th February 2024 protected the Applicant. In the meanwhile, Charge-sheet has been filed on 1st July 2025.

6. Although, Mr. Mali, learned APP states that further investigation will be conducted, learned Counsel for the Applicant states that complete cooperation will be given for further investigation.

7. Accordingly, the case is made out for grant of anticipatory bail.

8. The Anticipatory Bail Application is disposed of by passing following order :-

ORDER

(a) In the event of arrest of the Applicant - Shivakumarbabu Kondannagari, in connection with CR No.509 of 2023 registered with the Nigdi Police

Station, District - Pune, he be released on bail on his furnishing PR Bond in the sum of Rs.30,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall cooperate with the investigation.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]