IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 659 of 2025

Nanthakumar

Petitioner(s) /A-14

Vs

The State represented by,

The Inspector of Police,
District Crime Branch (DCB),

Salem,

Salem District.

Crime No.12 of 2024

Respondent(s)

Narendrakumar Intervenor/defacto complainant

For Petitioner(s):
Mr.K.T.S.Siva Kumar

For Respondent(s):
Mr.S.Santhosh
Government Advocate (Crl.Side)

For Intervenor(s):
Mr.D.Ravichandran

ORDER

Apprehending arrest in connection with Crime No.12 of 2024 registered for the offences punishable under Sections 120(B), 467, 408 and 409 of IPC, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, the accused who was working as Manager, Team Leader and Relationship Executives in the Sriram Finance, Kolathur Branch, Salem and by fabrication of documents and forged loan applications cheated the company to the tune of Rs.1,11,20,000/-. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that the customer have given fabricated documents and on believing the same, the petitioner has released the amount. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail is that, the second accused, Silamparasan, who was working as Branch Team Leader in the defacto complainant's company, along with other Executives by furnishing false loan applications had cheated the company to the tune of Rs.1,11,20,000/-. As far as this petitioner/A-14 is

concerned, he is the friend of A-6, who is an Executive in the company and an amount of Rs.4,50,000/- has been transferred to the account of this petitioner/A-14. He would further submit that custodial interrogation of the petitioner is very much required.

5. In reply, the learned counsel appearing for the petitioner submitted that the petitioner is ready to deposit the entire amount of Rs.4,50,000/- which has come to his account to the credit of crime number 12 of 2024.

6. Learned counsel appearing for the intervenor/defacto complainant submitted that the accused who was employed in the company as Manager, Team Leader, Executives has conspired together and cheated the company to the tune of Rs.1,11,20,000/-. He would submit that the huge public money is involved and he vehemently objected for the grant of anticipatory bail to the petitioner.

7. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police, the learned counsel for the intervenor/defacto complainant and perused the materials available on record, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate - VI, Salem,** on condition that the petitioner shall execute 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 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] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders and shall deposit an amount of Rs.4,50,000/- to the credit of crime number 12 of 2024 within a period of four weeks from the date on which the order copy is made ready;

[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 B.N.S.

29.01.2025

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A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.659 of 2025

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