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CRL OP NO. 978 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 978 of 2025

Praveenkumar,

S/O Palanisamy

No.2/171, Pudhupalaiyam, Ranganur 4 Road, Elanthakuttai Post,

Kumarapalayam Taluk, Namakkal District.

Petitioner(s)

Vs

State Rep By

The Inspector Of Police, District Crime Branch, Salem.

(Crime No.05/2024)

Respondent(s)

For Petitioner(s): Mr. M.Vijayaragavan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 477(A), 409 r/w Section 109 of the Indian Penal Code, 1860, in Crime No.05 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution, as per the de-facto complainant, is that the petitioner, along with other individuals, misappropriated funds in his bank

account at M/s. Bandhan Bank, a branch situated at Sankari, Salem District, to



the tune of Rs.2.20 crore. Hence, this case.

3. Learned counsel for the petitioner submits that the petitioner is working as a Public Relation Officer and has only canvassed customers, without committing any offence as alleged by the prosecution. Further, he submits that the petitioner is not a beneficiary and no money has been received by him. The petitioner is an innocent person, who has been falsely implicated in this case. He also submits that the co-accused/A1/ Manager of the Bank, who is the main accused in this case, has already been enlarged on bail in CrI.O.P.No.31754 of 2024 dated 19.12.2024. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner. He states that there are seven accused in this case. The petitioner is arrayed as accused/A7. The petitioner allegedly canvassed and flattered 234 customers into availing loans from the de-facto complainant's bank, facilitating the misappropriation of an amount of Rs.2.20 crore to the co-accused. There are no previous cases pending against the petitioner.

5. Having heard the learned counsel for the petitioner and the learned



Government Advocate (Crl. Side) appearing for the respondent Police and

having perused the materials available on record, this Court takes into consideration the facts and circumstances of the case, and considering the fact that the petitioner has no previous cases pending against him, and also noting that the co-accused/A1 has already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.6, Salem**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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 card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent Police on everyday at 10:30 A.M., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

[e] the petitioner shall not abscond either during the investigation or during the trial;

[f] 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 was 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]

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

23-01-2025

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To
State Rep By
The Inspector Of Police, District Crime Branch,
Salem. (Crime No.05/2024)

A.D. JAGADISH CHANDIRA, J.



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