



Crl.OP.No.7911 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7911 of 2025

R.Prabhakaran

.. Petitioner/Accused

Vs.

The State rep by
The Inspector of Police,
Veppery Police Station,
Chennai.
(Crime No.33 of 2023)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.33 of 2023 on the file of the respondent Police.

For Petitioner : Mr.Silambarasan .S

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

ORDER

The petitioner/Accused, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 408, 465, 468,
471 and 420 of IPC in Crime No.33 of 2023, seeks anticipatory bail.



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2. It is the case of the prosecution that the petitioner was working as a part-time Cashier and had committed misappropriation to the extent of Rs.4,72,431/- from the defacto complainant's company between 2017 and 2022 and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations are false; that since the petitioner has sought for his salary arrears, the said complaint was lodged; that the alleged transactions took place between 2017 and 2022; and that the allegations are borne out by records; and that in any case, custodial interrogation of the petitioner is not required for the purpose of investigation, and prayed for anticipatory bail.

4. The learned Government Advocate (Crl.Side) while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and confirmed the fact that the alleged misappropriation took place between 2017 and 2022.

5. Considering the aforesaid facts, the nature of the allegations against the petitioner, the fact that the alleged transactions took place between 2017



and 2022 and the allegations are borne out by records, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. 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 is made ready, before the **learned II Metropolitan Magistrate, Egmore, Chennai**, 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 card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders.



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[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.

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Index : Yes / No
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To

1.The Inspector of Police,
Veppery Police Station,
Chennai.

2.The II Metropolitan Magistrate,
Egmore, Chennai.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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