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CrI.O.P.No.10415 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10415 of 2025

Subburayan

Petitioner(s)

Vs

The State Represented by its,
The Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.
(Crime No.108 of 2025)

Respondent(s)

For Petitioner(s) : Mr.S.Kingston Jerold

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent in Crime No.108 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 316(2), 318(2) of BNS, in Crime No.108 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution as per the de-facto complainant who is working as a Branch Manager in Subiksham Womens Welfare Foundation is that the accused had cheated the company, by misappropriating a sum of Rs.89,000/-, which was collected from 15 members. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that he has been falsely implicated in this case; that the petitioner was working only as a field agent in the de-facto complainant's company; that the de-facto complainant had given a false complaint as against the petitioner, as if the petitioner has misappropriated the amount and that he is ready to abide by any conditions that may be imposed by this Court and hence prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has misappropriated a sum of Rs.89,000/- from 15 members and that the petitioner has no bad antecedents.

5. At this juncture, the learned counsel for the petitioner voluntarily submitted that the petitioner, in order to show his bonafides, is ready and willing



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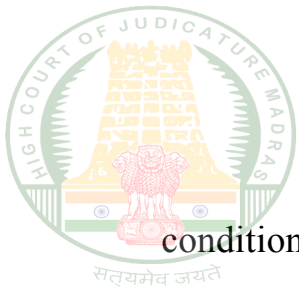
to deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) to the credit of

WEB Crime No.108 of 2025 without prejudice to his defense.

6. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

7. Taking note of the facts and circumstances of the case, nature of allegations, the submission that the petitioner is willing to deposit an amount of Rs.40,000/- to the credit of Crime No.108 of 2025 and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 **District Munsif cum Judicial Magistrate, Vanur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** 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:

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[a] the petitioner shall deposit a sum of Rs.40,000/- to the credit of Crime No.108 of 2025 before the learned Judicial Magistrate No.I, Mannargudi within a period of two weeks from the date of receipt of a copy of this order.

[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 daily at 10.30 a.m., until further orders.

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

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



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

drl

08-04-2025

To

1. The Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.

2. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.

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