



Crl.O.P.No.10806 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.10806 of 2025

G.Sampath

...Petitioner/Accused 1

Vs.

State rep by
The Inspector of Police,
District Crime Branch,
Salem, Salem District.

(Crime No.12 of 2024)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.12 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Viji

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 05.02.2025, seeking bail in Crime No.12 of 2024 registered for the offence under Sections 120B, 467, 408 and 409 of IPC.

2.It is the case of the prosecution that the defacto complainant is the Regional Collection Head of M/s.Shriram Finance Limited, Salem District; that the said company provides vehicle loan, business loan, jewel loan, etc; that the Relationship Executive working in the said company has to identify the people in the need of vehicle loans and other loans; that as per the company rules, no loan should be granted to the employees of the company without the permission of the company; that the Relationship Executives are responsible for collecting monthly installments from the borrowers and issuing appropriate receipts for the monthly installments collected and to credit the collected amounts to the company on the same day; that the petitioner, who is the Branch Manager of Kolathur Branch, along with A3,



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A4, A5 to A11, who were working as Relationship Executives and Team Leaders, along with the other accused had conspired together, fabricated the documents and forged the loan application and cheated the said finance company to the tune of Rs.1,11,20,000/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that co-accused/A12 has been granted anticipatory bail by this Court in Crl.O.P.No.437 of 2025; and that the petitioner is in custody from 05.02.2025 and hence, further custody of the petitioner is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that except A12 and A14, all the other accused were arrested.

5.Heard the learned counsel on either side and perused the materials available on record.



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6.Considering the period of incarceration, the fact that the co-accused was granted anticipatory bail by this Court and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on his executing 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 **Judicial Magistrate No.6, Salem**, and on further conditions that:

[a] 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, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness either



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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 B.N.S.

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- 1.The Inspector of Police,
District Crime Branch,
Salem, Salem District.
- 2.The Judicial Magistrate No.6, Salem.
- 3.The Superintendent of Prison,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.



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