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Crl.O.P. No.10540 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.10540 of 2025

Abdul Matheen

... Petitioner/ Accused

Vs.

The State Rep. By,
The Inspector of Police,
District Crime Branch, Ranipet,
Ranipet District.
(Crime No.115 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.115 of 2025, on the file of the respondent police.

For Petitioner : Mr. Thameen Ansari

For Respondent : Mr. R. Vinothraja
Government Advocate (Crl. Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 336(2), 338, 340(2) and 316(4) of BNS in Crime No.115 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is being working as a Human Resources - Unit Personnel Officer in Sara Leather Industries "D" Unit at Vannivedu was involved in misappropriation of company's money to the tune of Rs.30,00,000/- by fraudulently transferring the company's fund as salary payment to the accounts of former employees of the said company, as well as to the accounts of his family members and friends. Hence, this case.

3. The contention of the petitioner is that the petitioner is an employee of M/s.Sara Leather Industries, initially the complaint has been lodged by the company's Management stating that there has been a misappropriation and cheating of Rs.3,00,000/- and thereafter, the misappropriation amount has been increased around Rs.31,00,000/-; that the petitioner is only an employee in HR Department of the said and he has got no



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authority to deal with the company's accounts and it is a structured based company, wherein there are General Manager, Finance Manager and other higher Officials, who all verify the accounts and only thereafter, the amounts will be transferred to other accounts; that the petitioner is not a sole person to handle the company's finance, since the petitioner has raised objections with regard to improper payment and treatment to the casual labourers, which has been projected against the petitioner and a false complaint has been lodged.

4. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he had had not committed any offence as alleged by the prosecution and to show his bonafide, the petitioner without prejudice to his defense and contention, is ready and willing to deposit 50% of the alleged misappropriated amount to the tune of Rs.15,00,000/- to the credit of crime number before the Court concerned; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and sought for anticipatory bail to the petitioner.

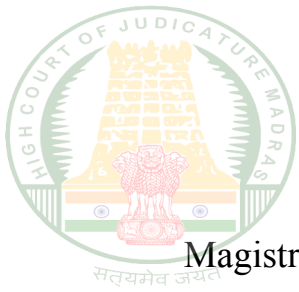
4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that



the petitioner had deposited the amount to the tune of Rs.31,79,126/- to the accounts of 19 fictitious persons account as salary (Rs.19,32,305/-), incentives (Rs.3,08,495/-) and settlement (Rs.9,38,326/-); and that the investigation is pending, hence opposed the grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the voluntary submission made by the learned Counsel appearing for the petitioner in respect of depositing a sum of Rs.15,00,000/- to the credit of crime number and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with 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 made ready, before **the learned Judicial Magistrate No.II at Walajahpet** on condition that the petitioner shall execute a separate 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:

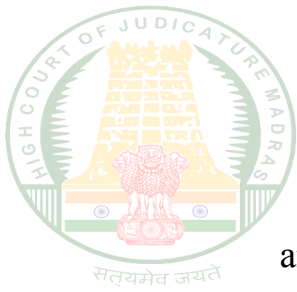
[a] The petitioner shall deposit a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) to the credit of Crime No.115 of 2025 before the learned Magistrate concerned at the time of execution of sureties and on such deposit, the learned Magistrate concerned shall re-deposit the same to any of the Nationalized bank under interest bearing scheme and disburse the same, at the time of completion of the trial or if any settlement arrived between the parties;

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

[c] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[d] the petitioner shall report before the respondent police everyday at 10:30 a.m., until further orders;

[e] the petitioner shall not directly or indirectly cause



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any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall make himself available for interrogation by a Police office as and when required;

[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[i] 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];

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



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To

1. The Judicial Magistrate No.II,
Walajahpet.
2. The Inspector of Police,
District Crime Branch, Ranipet,
Ranipet District. (Crime No.115 of 2025)
3. The Public Prosecutor, High Court of Madras.

M. NIRMAL KUMAR, J.

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