



Crl.O.P.No.17211 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17211 of 2025

E.Manoj Kumar

... Petitioner/ Accused

Vs.

The State Rep. by
The Inspector of Police,
Viruthampet Police Station,
Vellore, Vellore District.
Crime No.505 of 2021

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest in connection with Crime No.505 of 2021 on the file of respondent Police.

For Petitioner : M/s.K.Sathish Kumar

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences under Sections u/s.379, 419, 420, 465, 467, 468, 471 of IPC in Crime No.505 of 2021, on the file of the respondent, seeks anticipatory



2. The case of the prosecution is that the petitioner misused the receipt book of Slum Clearance Board and had misappropriated money from the beneficiaries to the tune of Rs.2,45,000/- for which the present case has been foisted against the petitioner. Though on an earlier occasion, this Court has enlarged the petitioner on anticipatory bail vide order dated 02.02.2022 in CrI.O.P.No.2292 of 2022 subject to the condition that the petitioner shall deposit a sum of Rs.40,000/- to the credit of Crime No.505 of 2021 within a period of 15 days after the upliftment of the lockdown, however, the petitioner failed to comply with the said order. While so, the anticipatory bail application in CrI.O.P.No.2292 of 2022 stood dismissed due to his health ailments. Hence, the present anticipatory bail application has been filed.

3. The learned counsel appearing for the petitioner submitted that the due to his health ailments, the petitioner could not pay the said amount as ordered by this Court. He further submits that the petitioner to ready to deposit a sum of Rs.75,000/- without prejudice to his rights within the time frame that may be stipulated by this Court. Hence, he prayed for grant of anticipatory bail to the



4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed to grant anticipatory bail to the petitioner and prayed this Court to direct the petitioner to deposit the entire misappropriation amount of Rs.2,45,000/-.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, **the petitioner is directed to deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) to the credit of Crime No.505 of 2021** and on such deposit, 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**



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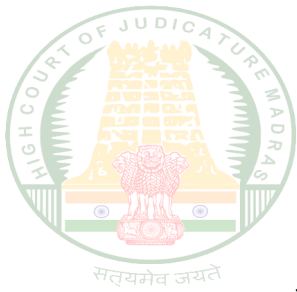
Magistrate No.III, Vellore , Vellore District on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties** each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for



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interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

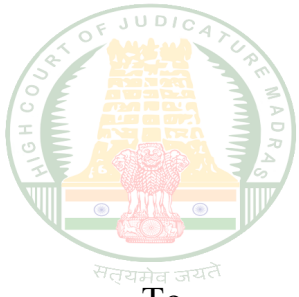
[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

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1. Judicial Magistrate No.III, Vellore , Vellore District
2. The Inspector of Police,
Viruthampet Police Station,
Vellore, Vellore District.
Crime No.505 of 2021
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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