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CRL OP No. 15199 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15199 of 2025

1. E.Allabakesh

S/O. Ebrahim, No.6/11, A.P. Arasu
Street, Nehru Nagar, Halai Meimon
Colony, Eruukkancheri, Kodungaiyur,
Chennai 600 118.

Petitioner(s)

Vs

1. The State Rep By, Inspector Of
Police,
Ambattur Police Station, Chennai.
Crime No.309 of 2025.

Respondent(s)

PRAYER:

This Criminal Original Petition is filed to enlarge the petitioner on bail in Crime No. 309 of 2025 on the file of the Ambattur Police station, Chennai.

For Petitioner(s): Mr.D.Prasanna Kumar

For Respondent(s): Leonard Arul Joseph Selvam
Government Advocate (Crl.side)



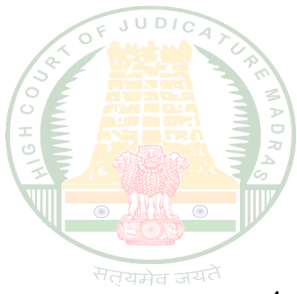
ORDER

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Petition seeking bail in respect of Crime No.309 of 2025 registered for the alleged offences punishable under Sections 316(4) of BNS 2023, is on board for consideration.

2. The case of the prosecution is that the petitioner is working as Cluster Manager at Van Heusan Textile shop at Ambattur, falsified accounts for 71 shirts and 7 pants. Upon verification, it was found that the petitioner had misappropriated funds to the tune of Rs.3,50,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 04.04.2025. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.



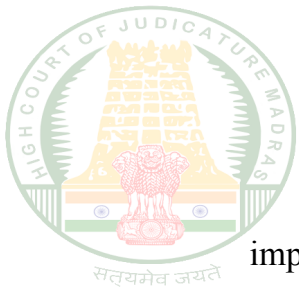
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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner had misappropriated funds to the tune of Rs.3,50,000/- and opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the stage of investigation, the submissions made by the learned counsels on either side, and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following conditions:

(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Ambattur.**

(2) **The petitioner shall report before the respondent police daily at 10.30 a.m., for the a period of thirty days.**



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(3) 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 Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(6) 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;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].



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(8) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.05.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1. The State Rep By, Inspector Of
Police,
Ambattur Police Station, Chennai.
Crime No.309 of 2025.

2. The Judicial Magistrate,
Ambattur.
3. The Superintendent,
Central Prizon Puzahl, Chennai.
4. The Public Prosecutor,
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.

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