



Crl.O.P.No.17512 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17512 of 2025

S.Kumar

.. Petitioner

Vs.

State rep. by
The Inspector of Police
Banavaram Police Station
Ranipet District.
Crime No.142 of 2025

... Respondent

COMMON PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on Anticipatory bail in the event of their arrest in **Crime No.142 of 2025** on the file of the respondent police.

For Petitioner	:	Mr.D.Ilayaraja
For Respondent	:	Mr.Leonard Arul Joseph Selvam Government Advocate (Crl.side)
For Intervenor	:	Mr.L.Ramkumar

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2) of BNS, in Crime



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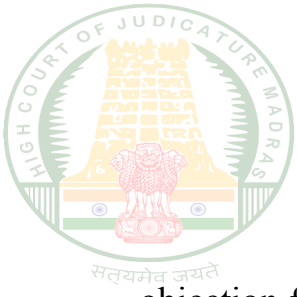
No.142 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner was employed as a Collection Manager in Shriram Finance Limited. The petitioner had collected the subscription amount of 22 customers and had misappropriated the money to the tune of Rs.4,41,500/- .Hence, the case.

3. The defacto Complainant submitted that the petitioner was employed as a Collection Agent who had collected the amount credited to the Company's account had misappropriated and not remitted the same. The defacto Complainant/Company is answerable to those customers.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and they have been falsely implicated in this case. Petitioner is ready to abide any conditions that may be imposed by this Court. Hence, the learned counsel prays for grant of anticipatory bail to the petitioner.

5. Without prejudice to the right and contention, the petitioner is ready to deposit Rs.3,00,000/- to the credit of the Crime No.142 of 2025 and he has no



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objection for the amount to be handed over to the defacto Complainant but with a condition that subject to the outcome of the case on merits.

6. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner had misappropriated the subscription amount of the Defacto Complainant's Finance Company. He also submitted that one previous case is pending against the petitioner. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

7. Heard the learned counsel for the petitioner, defacto Complainant and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

8. Considering the facts and circumstances of the case, submissions made by the learned counsel appearing on either sides, nature of allegation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the



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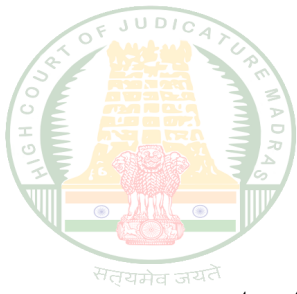
event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Sholinghur** on condition that each of the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two 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, and on proof of payment of deposits, 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 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;

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

[d] **the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three lakhs Only) to the credit of Crime No.142 of 2025 and on such deposit, this Court directs the trial Court to return the amount along with the accrued interest if any**



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to the petitioner/complainant subject to the outcome of the Crime No.142 of 2025 on getting an undertaking affidavit and the petitioner/complainant shall abide by any order in future with regard to this amount.

[e] the petitioner shall not directly or indirectly cause 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 petitioners 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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M.NIRMAL KUMAR, J.



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To

1. The Judicial Magistrate, Sholinghur
2. The Inspector of Police
Banavaram Police Station
Ranipet District.
3. The Public Prosecutor,
High Court of Madras.

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