

Crl.O.P.No.22330 of 2015V.RAMASUBRAMANIAN,J

This is an application filed under Section 438 of the Code of Criminal Procedure, seeking anticipatory bail.

2. Heard Mr.R.Shanmuga Sundaram, learned Senior Counsel appearing for the petitioner and Mr.S.Shanmuga Velayutham, learned Public Prosecutor appearing for the respondent.

3. The petitioner herein is arrayed as the 7th accused in the complaint in Cr.No.05/2013 on the file of the Economic Offences Wing for the alleged offences under Sections 406, 420 read with 120B of the Indian Penal Code and Section 5 of the Tamil Nadu Protection of Interest of Depositors Act, 1997.

4. The petitioner is stated to be 87 years old. He was formerly of the Indian Revenue Service. After serving in the Department of Income Tax in various capacities, the petitioner became a Member of the Income Tax Appellate Tribunal in 1980 and retired in 1985. He is a fellow of the Institute of Costs and Works Accounts and Life Member of the Indian Law Institute. He has been an Advocate and Tax Consultant and Honorary Director of the Society of Auditors. He is an author of several articles in law journals and newspapers.

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5. The medical records of the petitioner show that he was afflicted by cancer of the colon and he is under medication and treatment.

6. Considering the above background, this petition is allowed and the petitioner is directed to be released on bail, in the event of his arrest, upon his executing a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) together with two sureties each for a like sum to the satisfaction of the Special Court, TNPID Act. He is directed to cooperate with the enquiry and shall be available for interrogation as and when required.

14.9.2015

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