



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourteenth day of May Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) Nos.9081 & 9233 of 2015

WEB COPY

S.KRISHNAMOORTHY : PETITIONER/ACCUSED NO.1 IN CRL OP(MD)NO.9081/2015
M.SENTHIL : PETITIONER/ACCUSED NO.2 IN CRL OP(MD)NO.9233/2015

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CBCID, TIRUNELVELI, TIRUNELVELI DISTRICT.
(CR.NO.1 OF 2015.) ... RESPONDENT/COMPLAINANT IN CRL OP(MD)NO.9081/2015

STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, TIRUNELVELI
(CR.NO.1 OF 2015) ... RESPONDENT/COMPLAINANT IN CRL OP(MD)NO.9233/2015

FOR PETITIONER : MR.V.KATHIRVELU, SENIOR COUNSEL
FOR M/S.K.PRABHU ADVOCATE IN CRLOP(MD)NO.9081/15

FOR PETITIONER : MR.D.VALLINAYAGAM, SENIOR COUNSEL
FOR M/S.J.MANICKAM,ADVOCATE IN CRLOP(MD)NO.9233/15

FOR RESPONDENT : MR.SHANMUGAVELAYUTHAM, STATE PUBLIC PROSECUTOR
ASSISTANT BY MR.RAMACHANDIRAN, ADDITIONAL PUBLIC PROSECUTOR
IN BOTH PETITIONS

PETITIONS FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 in Crime No.1 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 05.04.2015 for offences under Sections 120(b) and 306 IPC and Section 7 of the Prevention of Corruption Act and seek bail.

2. The case of the prosecution is that the deceased was working as an Assistant Executive Engineer in the Agricultural Department at Tirunelveli and the accused have demanded bribe of Rs.12,25 lakhs for appointment of seven Drivers and to due to the torture given by the accused, he committed suicide by jumping in front of a moving train on 20.02.2015, at 12.30 hours.

3. Heard the learned counsels appearing for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

4. On the side of prosecution, the statement of co-accused one T.Poovaiya, Retired Agricultural Officer and working as a Personal Assistant (unauthorised) under accused No.1 is filed and according to him, in the month of August 2014, when he went to the office of the accused No.1, he found accused No.2 there and at that time accused No.1 directed accused No.2 to get a sum of Rs.1,75,000/- for appointment of one Driver and at that time, he gave a suggestion that since the



appointment was temporary, the amount may be reduced to Rs.1,00,000/-. He has further stated about the alleged illegal gratification in respect of appointment of drivers in Agricultural Department.

5. The prosecution has also produced the statement of the District Collector recorded by the Investigation Officer under Section 161(3) of Cr.P.C. He has spoken about the selection of seven driver for appointment in the Agricultural Department of Tirunelveli District.

6. Earlier, these two petitioners filed Crl.O.P (MD)Nos.8306 and 7528 of 2015 seeking similar prayer of bail and this Court, by a detailed order, dated 30.04.2015, after considering the facts and circumstances and submissions made by the learned counsels on either side, had dismissed those petitions.

7. In this case, already First Information Report was registered by the Railway Police and thereafter, the case was transferred to the CBCID and the investigation is not completed. The first accused is the Ex. Minister and the second accused is the Chief Engineer and if the accused are released on bail, he will tamper the witnesses and hamper the investigation.

8. Considering the above said circumstances and after considering the submissions now made by the learned counsels for the parties and also going through the order of this Court, dated 30.04.2015, made in Crl.O.P (MD)Nos.8306 and 7528 of 2015, I am of the opinion that there is no change of circumstances, warranting consideration of the claim of the petitioners for bail. Hence, these Criminal Original Petitions are dismissed.

sd/-
14/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,CBCID, TIRUNELVELI, TIRUNELVELI DISTRICT.
 - 2 THE DEPUTY SUPERINTENDENT OF POLICE,CBCID,TIRUNELVELI.
 - 3 THE SUPERINTENDENT,CENTRAL PRISON,PALAYAMKOTTAI.
 - 4 THE OFFICER INCHARGE,CENTRAL JAIL,TIRUNELVELI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- +1. CC to M/S.K.PRABHU,Advocate SR.No.25731
+1. CC to M/S.J.MANICKAM,Advocate SR.No.25598

ORDER
IN
CRL OP(MD) No.9081 & 9233 of 2015
Date :14/05/2015