



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

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.2427, 2491 AND 2525 of 2017

PARTHASARATHY

... PETITIONER / ACCUSED

IN CRL OP(MD)NO.2427/2017

SARAVANAN

... PETITIONER/ACCUSED NO.8

IN CRL OP(MD)NO.2491/2017

MURUGESWARI

... PETITIONER/ACCUSED NO.5

IN CRL OP(MD)NO.2525/2017

Vs

THE DEPUTY SUPERINTENDENT OF POLICE
VIGILANCE AND ANTI CORRUPTION DEPARTMENT,
MADURAI, MADURAI DISTRICT. ...1ST RESPONDENT/COMPLAINANT
IN CRL OP(MD)NO.2427/2017

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION DEPARTMENT,
MADURAI, MADURAI DISTRICT.
CRIME NO.01 OF 2017 ... 2ND RESPONDENT / COMPLAINANT
IN CRL OP(MD)NO.2427/2017
... 1ST RESPONDENT/CPMPLAINANT
IN CRL OP(MD)NO.2491/2017

THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION DEPARTMENT,
MADURAI DETACHMENT UNIT,
MADURAI DISTRICT.
CRIME NO.01 OF 2017 ... 1ST RESPONDENT / COMPLAINANT
IN CRL OP(MD)NO.2525/2017

For Petitioner : MR.V.R.VENKATESAN Advocate
IN CRL OP(MD)NO.2427/2017
: M/S.A.BANUMATHY, Advocate
IN CRL OP(MD)NO.2491/2017
: MR.R.SUBBURAJ, Advocate
IN CRL OP(MD)NO.2525/2017

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)
IN ALL THE PETITIONS



PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner in CrI.O.P(MD)No.2427 of 2017, who is arrayed as A-7, the petitioner in CrI.O.P(MD)No.2491 of 2017, who is arrayed as A-8 and the petitioner in CrI.O.P(MD)No.2525 of 2017, who is arrayed as A-5 in Crime No.01 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 409, 420, 465, 468, 471, 477(A) of I.P.C and u/s 13(1)(c) & r/w Section 13(2) of PC Act-1988 and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State.

3. The case of the prosecution is that the petitioners in collusion with the Contractors had misappropriated a sum of Rs.1,07,93,100/- by not executing estimated work in Madurai Corporation.

4. The learned Government Advocate(Crl. Side) on instructions submitted that the petitioners are the Officials of the Madurai Corporation. She further submitted that A-1, A-2, A-4 and A-9 to A-16 were granted bail by this Court. She further submitted that investigation is pending in this case.

5. The learned counsel appearing for the petitioners submitted that with regard to the above said allegations, disciplinary proceedings were initiated against the petitioners and in which, punishment of stoppage of increment was imposed against A-5 and A-7, for dereliction of duty, but not on account of misappropriation of fund and A-8 was found not guilty and was set free.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioners are the Officials of the Madurai Corporation, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Special Judge(Prevention of Corruption cases, Madurai and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police once in a week ie., on every Monday at 10.30 a.m., until further orders.



The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
15/03/2017

/ TRUE COPY /

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

pm
TO

1. THE SPECIAL JUDGE, (PREVENTION OF CORRUPTION CASES),
MADURAI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE
VIGILANCE AND ANTI CORRUPTION DEPARTMENT,
MADURAI, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION DEPARTMENT,
MADURAI, MADURAI DISTRICT.
- 4 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION DEPARTMENT,
MADURAI DETACHEMENT UNIT, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.V.R.VENKATESAN Advocate SR.No.14818
+1CC to M/s.Banumathi, Advocate Sr.No.15146
+1CC to Mr.A.Rahul, Advocate Sr.No.14864

GJM/MR/SAR-2-21.3.17-3p-9C

ORDER
IN
CRL OP(MD) Nos.2427, 2491
and 2525 of 2017
Date :15/03/2017