

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.17775 of 2018

MOHAMED BAHARUDEEN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
SPE CBI ACB, CHENNAI.
CC.NO.37 OF 2015.

[RESPONDENT]

For Petitioner : M/S.K.G.SENTHILKUMAR Advocate

For Respondent : MR. K.SRINIVASAN, SPECIAL PUBLIC PROSECUTOR FOR
CBI CASES

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends the arrest at the hands of respondent police pursuant to a Non Bailable Warrant dated 19.12.2016 issued against him in C.C.No.37 of 2015, which is pending on the file of the learned XVI Additional Judge, CBI, Chennai, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the case was registered in RC MA1 2013 A 0012 for the offence under Sections 120(B) r/w 420 of IPC and 13(2) r/w 13(1)(d) of Prevention of Corruption Act against one Murugananthan and one Alex Joseph and other unknown public servants and unknown private individuals. He would submit that the petitioner's name does not find place in the FIR. However he would submit that after completing the investigation, the respondent has filed the charge sheet in C.C.No.37 of 2015 before the learned XVI Additional Judge, CBI, Chennai, in which, the petitioner has been arrayed as A2. He would submit that the petitioner was working in Dubai and he lastly visited India during the year 2015 and that he had not received any summons from the Court. However, he would submit that coming to know of the case pending against him, the petitioner is ready to appear before the Court and co-operate with the respondent in the progress of the trial and hence, he prayed for anticipatory bail to the petitioner.

3. The learned Special Public Prosecutor for CBI Cases submitted that initially, the name of the petitioner was not included in the FIR, however, during the course of investigation, the petitioner was implicated as accused and in the Charge Sheet, he was arrayed as A2.

4. Taking into consideration the fact that the final report has been filed and the petitioner has voluntarily agreed to appear before the Court, I am inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XVI Additional Judge, CBI, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties (out of which, one shall be the wife of the petitioner), each for a like sum to the satisfaction of the learned Judge concerned on further condition that:-

[a] the petitioner shall surrender before the concerned Judge namely, learned XVI Additional Judge, CBI, Chennai, within a period of three weeks.

[b] the petitioner shall surrender the passport.

[c] the petitioner shall furnish the details of his address, his employment and work permit details before the Court.

[d] the petitioner shall not abscond during trial.

-sd/-

18/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE XVI ADDITIONAL JUDGE,
CBI, CHENNAI.

2 THE INSPECTOR OF POLICE,
SPE CBI ACB, CHENNAI.

3 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

+1CC to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary charges IN SR.NO. 13334

CRL OP.17775/2018

Date :18/07/2018

MLT-27/07/2018