



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

Tuesday, the Fifth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.8891 of 2018

WEB COPY

ASOKAN

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
DINDIGUL DISTRICT.(CR.NO.3/2018).

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.MOHAN Advocate for Mr.D.VENKATESH Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who is arrayed as accused No.2 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468, 471 IPC and Sections 7, 12 13(1)(d)(ii) r/w 13(2) of the Prevention of Corruption Act, on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner submitted that the petitioner is presently working as District Revenue Officer. When he was working as Tahsildar in Nilakkottai during the year 2009, he was called upon by the Ministry of Communication and IT, Government of India to give report as to the genuineness of the community certificate issued to one Ramamoorthy, who is now shown as Accused No.1. In favour of the said Ramamoorthy, a community certificate was issued way back in the year 1989 by the then Tahsildar, Nilakottai. His name was also Ramamoorthy. The petitioner herein had given certificate confirming that such certificate was actually issued by his predecessor in office.

3. Now the present FIR has been registered, in which the petitioner has been shown as Accused No.2. The allegations against the petitioner is that, when the competent authority to issue community certificate for Scheduled Tribes is Revenue Divisional Officer, the petitioner could not have issued such certificate. But, as rightly contended by the learned counsel for the petitioner that the petitioner had confirmed the genuineness of the



certificate, earlier issued way back in the year 1986. The petitioner did not usurp the functioning of the Revenue Divisional Officer or issue fresh certificate, but confirmed the genuineness of the earlier certificate.

4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Chief Judicial Magistrate / Special Judge for Prevention of Corruption Act Cases, Dindigul and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of one week and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-

05/06/2018

/ TRUE COPY /

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE/
SPECIAL JUDGE FOR PREVENTION OF CORRUPTION ACT CASES,
DINDIGUL DISTRICT.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
DINDIGUL DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.D.VENKATESH Advocate SR.No.9515.

ORDER

IN

CRL OP(MD) No.8891 of 2018

Date :05/06/2018