



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

Monday, the Twenty Fifth day of June Two Thousand Eighteen

PRESENT

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

**CRL OP(MD) No.10354 of 2018**

KAUSHAL KUMAR

... PETITIONER/ACCUSED No.2

Vs

THE INSPECTOR OF POLICE,  
CENTRAL BUREAU OF INVESTIGATION,  
ANTI CORRUCPTION BRANCH,  
SHASTRI BHAVAN,  
CHENNAI -600 008.

... RESPONDENT

For Petitioner : MR.K.C.MANIYARASU, Advocate

For Respondent : MR.N.NAGENDRAN,  
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 apprehends arrest at the hands of the respondent Police for the offences under Sections 120 (B), r/w 419, 420, 468 and 471 of I.P.C. r/w 13 (2) r/w 13(1)(d) of P.C. Act, 1988 in Crime No.RC MA1 2017 A 0031 of 2017.

2.Heard the learned counsel appearing for the petitioner and the learned Special Public Prosecutor appearing for Central Bureau of Investigation.

3.The Special Public Prosecutor appearing for the Central Bureau of Investigation pointed out that the petitioner's earlier Criminal Original Petition (MD).No.16891 of 2017 was dismissed by this Court on 01.02.2018. Questioning the same, the petitioner filed Special Leave Petition before the Hon'ble Supreme Court. The same was allowed to be dismissed as withdrawn on 02.04.2018.

4.This Court went through the said order passed by the Hon'ble Supreme Court.



5. The learned counsel appearing for the petitioner herein had sought permission to withdraw the Special Leave Petition with liberty to apply for regular bail. Permission sought for was granted. Hence Special Leave Petition is dismissed as withdrawn with liberty as afore-mentioned. Having withdrawn the Special Leave Petition after making the specific statement that he would apply for regular bail, it is not open to the petitioner to apply for anticipatory bail before this Court. This Court by an earlier order has dismissed the petitioner's earlier anticipatory bail petition. In these circumstances, this Court is of the view that filing this second petition for anticipatory bail is a clear abuse of legal process.

6. Hence, this Criminal Original Petition stands dismissed with a cost of Rs.1000/- to be payable by the petitioner to the Chief Minister Relief Fund.

sd/-  
25/06/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,  
CENTRAL BUREAU OF INVESTIGATION,  
ANI CORRUPTION BRANCH, SHASTRI BHAVAN,  
CHENNAI - 600 008.
- 2 THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE SECTION OFFICER, ACCOUNTS SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to MR.K.C.MANIYARASU Advocate SR.No.11343

ORDER  
IN  
CRL OP(MD) No.10354 of 2018  
Date : 25/06/2018

PK/RR/VK/27.06.2018 : 2P/5C