



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

Thursday, the Sixth day of September Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15418 of 2018

BASKARAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE & ANTI CORRUPTION, MADURAI.
(CRIME.NO.1/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.VIJAYAKUMAR Advocate

For Respondent : Mr.V.NEELAKANDA, Additional Public Prosecutor.

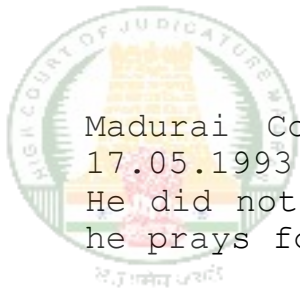
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409, 420, 468, 471, 477(A) & 120(b) I.P.C and Section 13(1)(c) & (d) r/w 13(2) Prevention of Corruption Act, in Crime No.1 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the Madurai Corporation employees colluded with Municipal Contractor prepared forged estimate and bogus vouchers and bills and other documents and caused to pay the amount to contractors, for which no work has been carried out. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an employee of Tamil Nadu Local Fund Audit Department and has been deputed to Madurai Municipal Corporation as Assistant Commissioner of Accounts on 07.06.2012. He further submitted that the alleged offence was happened in the year 2010-2011, all the alleged bogus bills, vouchers, m-books are all prepared during 2010-2011 and the payment is withheld due to non-availability of funds to the contractors. After this petitioner joined as Assistant Commissioner of Accounts on 07.06.2012, the Madurai Corporation Commissioner orally instructed the petitioner to issue cheques to the above said bills, this petitioner verified all documents and found all are disbursed to the contractors. The petitioner is acted according to the delegation of powers issued by the Commissioner to the Assistant Commissioner of Accounts vide



Madurai Corporation Office Order E4/44042/93 O.O.No.12/93, dated 17.05.1993. He further submitted that the petitioner is an innocent. He did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that totally 16 accused in this case. All the accused was granted anticipatory bail. He further submitted that the investigation is pending.

5.Taking note of the facts and circumstances, 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 Special Judge (Prevention of Corruption Cases), Madurai and on his 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 Special Judge concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-

06/09/2018

/ TRUE COPY /

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

TO

- 1 THE SPECIAL JUDGE,
(PREVENTION OF CORRUPTION CASES), MADURAI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE & ANTI CORRUPTION, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR ,
MADURAI BENCH OF MADIRAS HIGH COURT, MADRAI.

+1. CC to M/S.P.VIJAYAKUMAR Advocate SR.No.17044
PS/RR/SAR-4:17/09/2018:2P/5C

ORDER

IN

CRL OP(MD) No.15418 of 2018

Date :06/09/2018