



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.14648 of 2020

Shreevats Sanjay

... Petitioner/Unnamed Accused

Vs

The Superintendent of Police,
Central Bureau of Investigation-Anti Corruption Branch,
73-Aathikulam Road,
Pudur Vandipathai Road,
Reserve Line Post,
Madurai-625 014.

... Respondent/Complainant

For Petitioner : M/s.D.Sreenivasan,
Advocate.

For Respondent : Mrs.L.Victoria Gowri,
Additional Solicitor General

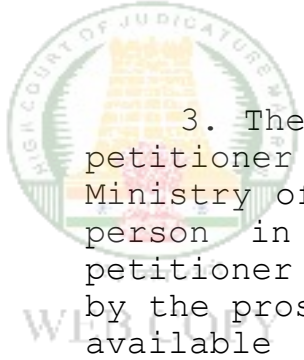
PRAYER :-

For Anticipatory Bail in Cr.No. RC2292020A0008 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 120-B, r/w. Sections 7, 7A, 8 and 12 of P.C.Act. on the file of the respondent, seeks anticipatory bail.

2.The case of the prosecution is that one Ramakrishnan working as Assistant Director, India Tourism, Ministry of Tourism, Chennai, who has entered into a criminal conspiracy with various hotel owners, private consultants and others and in pursuance of which, he obtained undue advantage for renewal of licences of the hotel by performing public duty improperly and dishonestly, thereby, favouring them. The said Ramakrishnan had demanded and received Rs.7,00,000/- as illegal gratification collected from various hotel owners and consultants operating on behalf of hotel owners and public servants for issuing favourable reports.

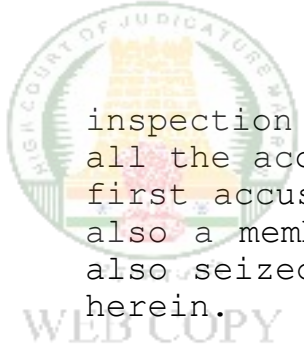


3. The learned counsel for the petitioner would submit that the petitioner is presently working as Regional Director of South India, Ministry of Tourism, Government of India and he is highly qualified person in the Department. He would further submit that the petitioner was not found place in the F.I.R. If the allegation made by the prosecution and if any material as against the petitioner, is available definitely the respondent would have impleaded the petitioner as an accused in the F.I.R. He would further submit that even according to the case of the prosecution, the petitioner only headed a Team, which was conducted inspection in various hotels. Further he would submit that the first accused only, who was working as Assistant Director, India Tourism, Ministry of Tourism, Chennai, was demanded a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) and received the same as illegal gratification from various Hotel owners. Insofar as the petitioner is concerned, absolutely no demand as well as no receive amount as illegal gratification and the first accused has already arrested and released on bail. Therefore, the custodial interrogation of the petitioner is not at all required and hence, sought for anticipatory bail to the petitioner.

4. Per Contra, the learned Additional Solicitor General appearing for the respondent would submit that during the course of investigation, it revealed that the petitioner herein has a direct involvement in the conspiracy alleged is that he was heading the team which was conducting inspections in various hotels based in Kerala. Accordingly, the petitioner's house at Patna was searched and incriminating documents were seized. She would further submit that the investigation revealed that there is a larger conspiracy in this case, since the petitioner is being the Regional Director of Ministry of Tourism headed the inspection Team and conducted inspection in various hotels based in Kerala, and in fact, the first accused, who is also a member of his Team, all the accused conspired together and demanded a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) from the Hotel owners and demanded gratification and after received the same, they renewed their licences. In fact, in accordance with the confession, they also made search in Patna and they have seized incriminating evidence as against the petitioner herein. She would further submit that it is a very initial stage of investigation. If the petitioner granted anticipatory bail, the investigation will be seriously hampered and hence, the custodial interrogation of the petitioner is very much required in this case and sought for dismissal of the petition.

5. Heard both sides.

6. It is seen that the petitioner is an unnamed accused in the crime. According to the prosecution, the petitioner headed the inspection team and they inspected various hotels in order to grant renewal of licence, In this regard, one Ramakrishnan demanded a sum of Rs.7,00,000/- and received the same as illegal gratification. It is seen that the petitioner is being the Regional Director of Ministry of Tourism, headed the inspection Team and conducted



inspection in various hotels in order to renew the hotel licence and all the accused conspired together and made inspection. In fact, the first accused, viz., Ramakrishnan, who is the Assistant Director is also a member of the Team and on the investigation, the respondent also seized incriminating evidence from the house of the petitioner herein.

7. Therefore, the investigation is very initial stage and the custodial interrogation of the petitioner is very much required in this case. Hence, this Court inclined to grant bail to the petitioner.

8. Accordingly, this Criminal original petition is dismissed.

sd/-

21/12/2020

/ TRUE COPY /

/ /2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION-
ANTI CORRUPTION BRANCH,
73-AATHIKULAM ROAD,
PUDUR VANDIPATHAI ROAD,
RESERVE LINE POST,
MADURAI-625 014.
2. THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
3. THE ADDITIONAL SOLICITOR GENERAL,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO M/s.M.A.MURTHUZA ALI, ADVOCATE IN SR No. 8399

ORDER IN
CRL OP(MD) No.14648 of 2020
Date :21/12/2020