



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Thursday, the Eighth day of April Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3485 of 2021

R.ANVARDEEN

[PETITIONER / ACCUSED]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI-CORRUPTION WING,  
CUDDALORE. CRIME NO.15/2020

[RESPONDENT/COMPLAINANT]

For Petitioner : G.PUGAZHENTHI Advocate

For Respondent : M/S.K.PRABAKAR, 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 alleged offence under Sections 409, 420 IPC and Sections 13(2) r/w 13(a) of the Prevention of Corruption (Amendment) Act 2018 in Cr.No.15 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had collected a huge amount of money from the candidate for nomination in the WAKF Board election to the tune of Rs.50,000/- and misappropriated to the tune of Rs.2,00,000/- and further, he collected Rs.1,00,000/- from the tiles owner. Therefore, the WAKF Board filed a complaint in Vigilant and Anti Corruption. Hence, the present petition has been filed.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in the case. Accordingly, he prayed for anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the petitioner is a public servant who misappropriated to the tune of Rs.3,50,000/-. Therefore, he vehemently opposed for grant of anticipatory bail to the petitioner.



5. The learned counsel for the petitioner submitted that without prejudice, the petitioner is ready to deposit Rs.3,00,000/- in the name of the WAKF Board, within a period of six weeks from the date of receipt of a copy of this order.

6. In view of the above submission of the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 chief Judicial Magistrate/Special Judge for petitioning Creditor Act cases, Cuddalore, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner is directed to deposit a sum of Rs.3,00,000/- in favour of the WAKF Board within a period of six weeks from the date of receipt of a copy of this order;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter shall report before the respondent police on every Monday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

08/04/2021

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 CHIEF JUDICIAL MAGISTRATE/  
SPECIAL JUDGE FOR PETITIONING CREDITOR ACT CASES,  
CUDDALORE.
- 2.THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI-CORRUPTION WING,  
CUDDALORE.
- 3.THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to G.PUGAZHENTHI Advocate on payment of necessary charges  
SR NO. 4613

CRL OP.3485/2021

Date :08/04/2021

TK/22.04.2021