

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Second day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.4670 of 2021

VIDYA LAKSHMI

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY [RESPONDENT]
DEPUTY SUPERINTENDENT OF POLICE,
SPECIAL INVESTIGATION CELL-2,
VIGILANCE AND ANTI-CORRUPTION,
ALANDUR, CHENNAI-600016.
(CR. NO. 08 OF 2021)

For Petitioner : M/S. M.F.SHABANA Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

For Intervenor : M/S MANIPRABHU Advocate

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

ORDER : The Court Made the following order :-

The case has been heard through video conference

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 7, 7A, 12 of Prevention of Corruption (Amendment) Act, 2018 and 120B IPC, in Crime No.08 of 2021, on the file of the respondent/Police, seeks anticipatory bail.

2.Totally, there are 5 accused persons involved in this crime and the petitioner is arrayed as A4, who is the daughter of A1. A1 was working as a Joint Commissioner in HR & CE, Department, and she securing contracts from the HR & CE, Department, she demanded a sum of Rs.1,30,00,000/- from defacto complainant, in turn defacto complainant has paid a sum of Rs.1,00,00,000/- to A1 and a sum of Rs.28,00,000/- was given to this petitioner through a mediator in two cheques. The petitioner had received the amount and thereafter, she enhanced the amount. Thereafter, based on the complaint given by the defacto complainant, the crime has been registered and the petitioner was arrayed as A4.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case and she is working in Bangalore. He would further submit that the allegation is only against A1, and the petitioner is the daughter of A1, she was nothing to do with the crime, she has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor would submit that only the petitioner's mother was working as a Joint Commissioner of HR & CE, Department and she demanded a sum of Rs.1,30,00,000/- for securing the contract and received a sum of Rs.1,00,00,000/- cash, a sum of Rs.28,00,000/- paid to this petitioner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned Additional Public Prosecutor appearing for the respondent police.

6. The main allegation is against A1, the mother of this petitioner, she has demanded huge money for securing contract, and received One Crore from the defacto complainant, the petitioner is now working in Bangalore a sum of Rs.28 lakhs has been transferred to her, on the instruction of A1. Considering the facts and circumstances, now the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Chief Judicial Magistrate Court, Chengalpet, 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, failing which, this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner shall deposit a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the credit of Crime No.08 of 2021, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[b] the petitioner and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

8. With the above directions, this Criminal Original Petition is ordered.

-sd/-

22/03/2021

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
COURT, CHENGALPATTU

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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3 DEPUTY SUPERINTENDENT OF POLICE,
SPECIAL INVESTIGATION CELL-2,
VIGILANCE AND ANTI-CORRUPTION,
ALANDUR, CHENNAI-600 016.

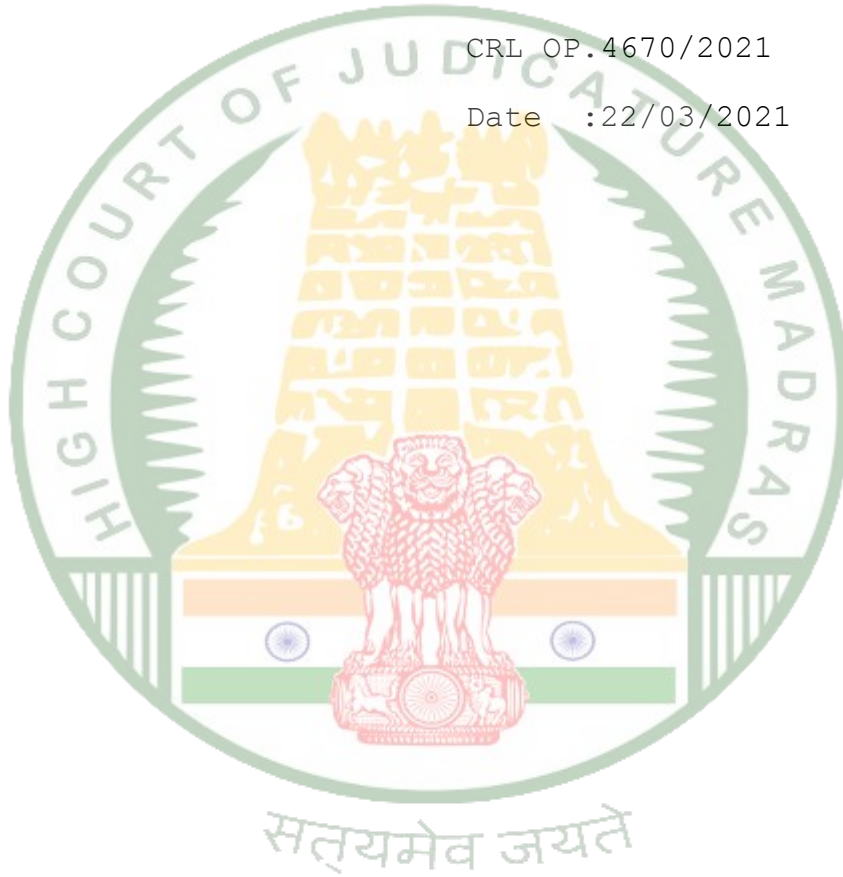
CC to M/S. M.F.SHABANA Advocate on payment of necessary charges
SR.NO. 3775

CC to M/S. MANIPRABHU Advocate on payment of necessary charges
SR.NO. 3841

CRL OP.4670/2021

Date :22/03/2021

rvr 31/03/2021



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