



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

Wednesday, the Fourteenth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.8312 of 2021

M.SOUNDARAPANDIAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DHARMAPURI.
CRIME NO.NOT KNOWN.

[RESPONDENT]

For Petitioner : M/S. M.D.THIRUNAVUKKARASU Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under Sections 420 of I.P.C in Crime No.not known of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant/Maheshwari met one C.Matheswaran, who is working in the Tamil Nadu Electricity Board and asked him to secure a job for her son. At that time the said C.Matheswaran introduced the petitioner, who is working in the Assessor Grade-I in the Tamil Nadu Electricity Board. The petitioner assured that he was elected as District Treasurer in Anna Trade Union, Krishnagiri District and he was close to the Personal Assistant to the Minister of power and promised to get a job to her son and demanded her to pay a sum of Rs.27,00,000/- and finally agreed to Rs.25,00,000/- . Believing the sugar coated words of the petitioner the defacto complainant gave an amount of Rs.23,00,000/- to secure a job for her son. Thereafter, the petitioner neither secured a job nor returned back the amount to the defacto complainant. Hence the law enforcing registered the case against the petitioner on the complaint of the defacto complainant.



3. The learned counsel appearing for the petitioner would submit that the petitioner introduced the Personal Assistant to the Electricity Minister to the defacto complainant. Apart from that he has not committed any offence as alleged by the petitioner and he has not received any amount from the defacto complainant. He further submits that the defacto complainant directly contacted the Personal Assistant to the Electricity Minister and paid the amount. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate submits that the petitioner induced the defacto complainant that he will secure job and received a sum of Rs.23,00,000/- Thereafter, the petitioner neither secured a job nor returned back the amount to the defacto complainant and cheated the defacto complainant.

5. The respondent herein has filed a status report wherein it is stated that this Court on 17.06.2021 issued a direction to the Commissioner of Police, Vigilance & Anti Corruption Wing of CB-CID to constitute a Special Officer to probe into the matter and the respondent herein was directed to hand over the entire case file to the Special Officer so constituted by the Commissioner of Police. As there was no such Department called as Vigilance and Anti Corruption wing in the State of Tamil Nadu, this Court directed the Commissioner of Police to transfer the case to CBCID, Dharmapuri and the said officer has directed to investigate the case and submit a preliminary report before this Court.

6. During the course of hearing it is submitted that after receiving the orders of this Court the respondent police submitted the case file before the Superintendent of Police, Dharmapuri and the Superintendent of Police, Dharmapuri has referred this case to the Director General of Police, Chennai through the Inspector General of Police, Salem Range, Salem vide Rc.No.C1/03/12528/2021 dated 08.07.2021 and the process of transferring this case to the CBCID Dharmapuri District is in progress. It is submitted that the entire process will take a minimum period of 2 months.



7. In view of the nature of allegation involved and after allegation being made that several persons higher of the Governmental hierarchy are involved and this Court has already directed the respondent to transfer the case to CB-CID, this Court is of the view that the relief sought for the petitioner cannot be granted.

-sd/-
14/07/2021

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 INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DHARMAPURI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE COMMISSIONER OF POLICE
VIGILANCE AND ANTI CORRUPTION WING,
DHARMAPURI

4 THE OFFICER INCHARGE,
CBCID, DHARMAPURI.

CC to M/S. M.D.THIRUNAVUKKARASU Advocate on payment of
necessary charges

CRL OP.8312/2021

Date :14/07/2021

JPA 23/07/2021