



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.12877 of 2021

G.Alayamani

... Petitioner

Vs.

The State, represented by
Inspector of Police,
Vigilance and Anti-Corruption,
Perambalur.
(Crime No.5 of 2021)

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioner on bail in the event of his arrest concern Crime No.5 of 2021 on the file of the Inspector of Police, Vigilance and Anti-Corruption, Perambalur.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.C.E.Pratap for P.P.

O R D E R

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 120(B), 167, 409, 419, 468, 471, 477-A of IPC and Section 13(2) r/w. 13(1)(a)(b) of The Prevention of Corruption Act, 1988 (as amended in 2018) in Cr.No.5 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused is alleged to have misappropriated the fund of Pradhan Manthri Awaz Yojana Gramain Scheme while giving approval to the beneficiaries to the tune of Rs.4,20,000/-.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the case and further submitted that the co-accused has already deposited the said amount and has been enlarged on bail in CrI.O.P.No.12045 of 2021 on 15.07.2021. The learned counsel, on instructions, further submitted that the petitioner is ready to deposit a sum of Rs.25,000/- to the Chief Educational Officer, Perambalur District.



4. Heard the submissions made by the learned Government Advocate.

5. Considering the fact that the petitioner is ready to deposit a sum of Rs.25,000/- to the Chief Educational Officer, Perambalur District, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 and Special Judge, Perambalur, 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 shall make a non-refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the credit of the Chief Educational Officer, Perambalur District for the rehabilitation and improvement of the basic needs of the Government Schools in the said District under necessary acknowledgment, without prejudice to his defence before the trial court and submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/ acknowledgment shall accept the sureties furnished by the petitioner.

(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 two 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.

7. The Chief Educational Officer shall submit the necessary proof with regard to the expenditure incurred and works that were done for the improvement/ rehabilitation of the schools in the District before the Director of School Education as and when such works are completed by utilising the money as ordered by this Court.

-sd/-

27/07/2021

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 CHIEF JUDICIAL MAGISTRATE
AND SPECIAL JUDGE, PERAMBALUR

2 THE CHIEF EDUCATIONAL OFFICER,
PERAMBALUR DISTRICT.

3 INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
PERAMBALUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S C.PRABAKARAN Advocate on payment of necessary charges
Sr.7764

CRL OP.12877/2021

Date :27/07/2021

RVR 04/08/2021