



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Ninth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13152 of 2021

1 R.RAVIKUMAR
2 T.JAYANTHIMALA
3 R.SARAVANAN
4 T.R.SRINIVASAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SALEM.
(CR.NO.10/AC/2021)

[RESPONDENT]

For Petitioner : M/S.V.MANO HAR Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (CrI. Side)

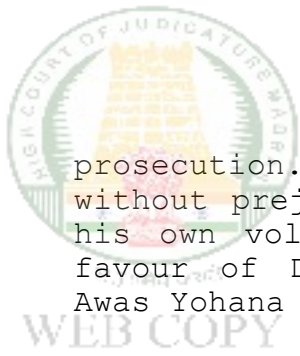
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 120B,167,409,420 of I.P.C and U/s 13(1)(d) of the Prevention of Corruption(Amended) Act, 2018, in Crime No.10/AC/2021 on the file of the respondent police,

2.The case of the prosecution is that the petitioners are Officias of Tamil Nadu Slum Clearance Board, Salem Divison amd entrusted with the implementation of scheme Pradhan Mantri Awas Yogana Housing for all and they have have misappropriated the fund of Rs.14,70,000/- in the said scheme. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the



prosecution. However, on instructions he further submits that without prejudice to his defence and contentions, the petitioners on his own volition is willing to deposit a sum of Rs.14,70,000/- in favour of District Collector for implementation of Pratan Mandiri Awas Yohana Housing Scheme.

5. Heard the submissions made by the learned Government Advocate (Criminal Side).

6. Considering the fact that the petitioners are ready to deposit the mis-appropriated amount, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the *Special Judge for Trial of cases under Prevention of Corruption Act*, Salem on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners, without prejudice to their rights, shall deposit a sum of Rs.14,70,000/- (Rupees Fourteen Lakhs and seventy Thousand Only) through demand draft drawn in favour of the District Collector, Salem. The challan/ receipt of such payment shall be produced at the time of executing the bond.

(b) the petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

29/07/2021

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 SPECIAL JUDGE FOR TRIAL OF
CASES UNDER PREVENTION OF CORRUPTION ACT,
SALEM.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SALEM.

3 THE DISTRICT COLLECTOR,
SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.V.MANO HAR Advocate on payment of necessary charges
SR.NO.7896

CRL OP.13152/2021

Date :29/07/2021

CSK 27/08/2021