



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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Thursday, the Twenty Third day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M. DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17102,17112,17130 & 17183 of 2021

P.VICTORIA [PETITIONER / ACCUSED
IN CRL.O.P.Nos.17102/2021]

A.DIVIANATHAN [PETITIONER / ACCUSED
IN CRL.O.P.Nos.17112/2021]

V.GOVINDARAJ [PETITIONER / ACCUSED
IN CRL.O.P.Nos.17130/2021]

KAVITHA [PETITIONER / ACCUSED
IN CRL.O.P.Nos.17183/2021]

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION,
RAILWAY STATION ROAD,
TIRUPATTUR-635 601.
CRIME NO.590 OF 2021
IN CRL.O.P.Nos.17102/2021]

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TOWN POLICE STATION
TIRUPATHUR DISTRICT.
FIR NO.590 OF 2021
IN CRL.O.P.Nos.17112/2021]

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION
TIRUPATHUR, VELLORE DISTRICT.
CRIME NO.590 OF 2021
IN CRL.O.P.Nos.17130/2021]



THE STATE REP BY
THE INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION
TIRUPATHUR DISTRICT.
CRIME NO.590 OF 2021

[RESPONDENT]
IN CRL.O.P.Nos.17183/2021]

For Petitioner : M/S.BALAN HARIDAS, Advocate
[IN CRL.O.P.Nos.17102/2021]

For Petitioner : M/S.G.APPAVOO, Advocate
[IN CRL.O.P.Nos.17112/2021]

For Petitioner : M/S.S.PAUL GNANAMUTHU, Advocate
[IN CRL.O.P.Nos.17130/2021]

For Petitioner : M/S.R.THIRUMOORTHY, Advocate
[IN CRL.O.P.Nos.17183/2021]

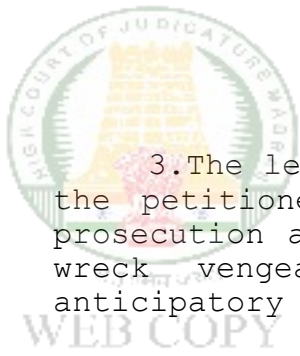
For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)
[IN ALL THE PETITIONS]

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 120 B, 167, 420, 468, 471 and 477 A of IPC in Cr.No.590 of 2021, seek anticipatory bail.

2. The case of the prosecution is that there was a recruitment process held for recruiting Village Assistant in the locality. Based on the order dated 18.07.2020 in W.P.No.21211/2010 filed by Namadevan, it was ordered to conduct enquiry and take proper action against the erred officials. Thereafter, the investigation was conducted by the Thasildar and it was found that the recruitment process was not conducted properly and there were some irregularities in the recruitment process and the candidates were selected contradictory to the rules. Hence the complaint was lodged by the Thasildar against the candidates who were selected in unlawful manner and the persons involved in the unlawful selection process. Hence, the Law Enforcing Agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and the defacto complainant had filed this case fully on wreck vengeance. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that the recruitment process was not conducted properly and there were some irregularities in the recruitment process conducted by the officials and the candidates were selected in unlawful manner. Hence he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and that the petitioners were involved in unlawful recruitment process and no other allegations were made against the petitioners, I am inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are granted anticipatory bail and they 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 learned Judicial Magistrate I, Tirupattur, 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 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;

(b)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;

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

(d)the petitioners shall not abscond either during investigation or trial;

(e)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;



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

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-sd/-
23/09/2021

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 JUDICIAL MAGISTRATE,
NO.I, TIRUPATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION,
RAILWAY STATION ROAD,
TIRUPATTUR-635 601

4 THE INSPECTOR OF POLICE,
TOWN POLICE STATION
TIRUPATHUR DISTRICT.

5 THE INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION
TIRUPATHUR, VELLORE DISTRICT.

6 THE INSPECTOR OF POLICE,
TIRUPATHUR TOWN POLICE STATION
TIRUPATHUR DISTRICT.



7 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.BALAN HARIDAS, Advocate on payment of necessary charges

+1CC to M/S.G.APPAVOO, Advocate on payment of necessary charges
SR.NO.10490

+1 CC to M/S.S.PAUL GNANAMUTHU, Advocate on payment of necessary charges
SR.NO.10549

+1 CC to M/S.R.THIRUMOORTHY Advocate on payment of necessary charges
SR.NO.10572

CRL OP.17102/2021

Date :23/09/2021

JPA 30/09/2021