



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18837 of 2021

M.DINESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE ASSISTANT COMMISSIONER OF POLICE,
CCB-II, VEPERY,
CHENNAI 600007
(CRIME NO.27/2021)

[RESPONDENT]

For Petitioner : M/S.A.SRIRAM Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (CrI. Side)

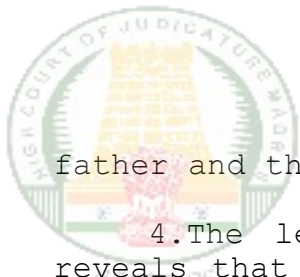
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 of I.P.C. in Cr.No.27 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 is the former Chairman of the Tambaram Municipality and A1 and the defacto complainant are friends. A1 is alleged to have informed the defacto complainant that he has good political contacts and that he can arrange jobs in Government Department and asked the defacto complainant to introduce candidates. Accordingly, the defacto complainant introduced candidates and A1 is alleged to have received a sum of Rs.79 Lakhs from 9 victims, however, A1 neither secured job nor repaid the amount. Hence, the complaint. The petitioner is arrayed as A2 and he is the son of A1.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that a bare perusal of the F.I.R. itself would reveal that the petitioner was simply standing nearby his



father and that there is no allegation as against the petitioner.

4.The learned Government Advocate submitted that investigation reveals that when the victims demanded their money back, the accused have threatened them with dire consequences.

5.The allegation in this case is that the accused have collected money by assuring that they will secure Government job, however, they have neither secured job nor returned the money. Considering the gravity of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.According to this Court, paying money and receiving money for getting a Government job, both are great offence under the Prevention of Corruption Act. Hence, this Court is of the opinion that the respondent police has no rights to investigate into the matter and the matter has to be transferred to the file of the Directorate of Vigilance and Anti Corruption.

7.Accordingly, this Court transfers the investigation in Cr.No.27 of 2021 to the file of the Directorate of Vigilance and Anti Corruption and directs the respondent police to hand over all the materials relating to the case in Cr.No.27 of 2021 to 'The Director, Directorate of Vigilance and Anti Corruption, MKN Road, Alandur, Chennai' for further investigation.

8.This criminal original petition is dismissed.

-sd/-
27/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

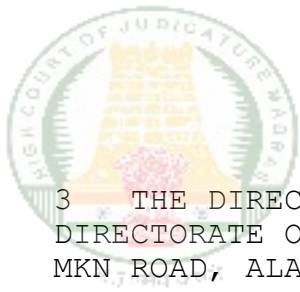
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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ASSISTANT COMMISSIONER OF POLICE,
CCB-II, VEPERY, CHENNAI 600007

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE DIRECTOR
DIRECTORATE OF VIGILANCE AND ANTI CORRUPTION,
MKN ROAD, ALANDUR, CHENNAI

WEB COPY CC to M/S.A.SRIRAM Advocate on payment of necessary charges

CRL OP.18837/2021

Date :27/10/2021

APN 29/10/2021