



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19914 of 2021

1 C. SUNDAR RAJ
2 R. NARESH

[PETITIONERS / ACCUSED]

Vs

THE STATE OF TAMILNADU, BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION
CHENNAI CITY-II, ALANDUR,
CHENNAI - 16.
CRIME NO.04/2021,
OFFENCE UNDER SECTION 7,7A OF THE PREVENTION
OF CORRUPTION ACT AND
SECTION 102 OF CODE OF CRIMINAL PROCEDURE.

[RESPONDENT]

For Petitioner : M/S. U.MANOJAR, Advocate for M/S.PRAKASH, SENIOR
COUNSEL.

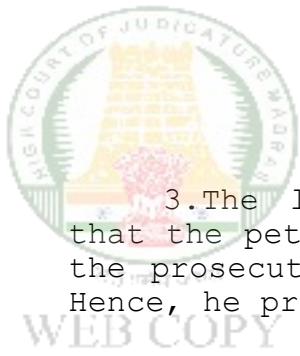
For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 7, 7A of Prevention of Corruption Act, 1988 (Amendment) 2018 and 102 of Criminal Procedure Code, in Crime No. 04 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the petitioners are the employees of Tamil Nadu Civil Supplies Corporation (TNCSC). It is alleged that the petitioners were involved in possession of unaccounted cash of Rs.27,000/-. Based on the complaint, the Law Enforcing Agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submits that the petitioners did not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the A1 is a bill clerk and A2 is a watchman. He further submits that the petitioners involved in possession of unaccounted cash. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering that the petitioners are last grade servants, this Court inclined to grant anticipatory bail to the petitioners.

6. 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 Chief Judicial Magistrate, Thiruvallur 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 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 appear 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 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;



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

WEB COPY

-sd/-

26/10/2021

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
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
CHENNAI CITY-II, ALANDUR,
CHENNAI - 16.

+1 CC to M/S. U.MANOGAR Advocate on payment of necessary charges
SR.NO.11855

CRL OP.19914/2021

Date :26/10/2021

RW 15/11/2021