



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Second day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.20836 of 2021

S.GOVARDHANA REDDY

[PETITIONER / ACCUSED]

Vs

1 STATE REP BY
THE INSPECTOR OF POLICE,
B-4, HIGH COURT POLICE STATION,
HIGH COURT, CHENNAI 600 104.
CR.NO. 23 OF 2019.

[RESPONDENT]

2 THE ASSISTANT COMMISSIONER OF POLICE,
CENTRAL CRIME BRANCH,
EDF-1, VEPERY,
CHENNAI 600 007.
CRIME.NO.325/2019.

For Petitioner : M/S.DAKSHAYANIREDDY Advocate

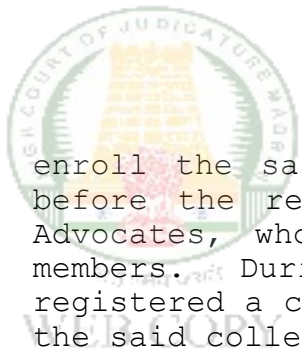
For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 8 & 12 of the Prevention of Corruption (Amendment) Act, 2018 read with Section 420 of the IPC 1860 in connection with Crime No.325 of 2019 in Cr.No.325 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one B.Vipin, who is the former employee of Souther Railways, got admission in the petitioner college without disclosing his employment and thereafter, he completed the course in petitioner's college. He made a application before the Bar Council of Tamil Nadu to enroll him as an Advocate. During the certificate verification process, the Bar Council found that the applicant has completed the LLB Law Degree in SBRTM College, Kadappa while he was in service in Southern Railways. Therefore, the Enrollment committed refused to accept the application and thereafter, two Advocates had attempted to influence the committee members to



enroll the said Vipin. Therefore, the Bar Counsel made a complaint before the respondent police against the said Vipin and two other Advocates, who had attempted to influence the Enrollment Committee members. During the course of investigation, the respondent police registered a case against the Principal and one of the staff member in the said college and seized the records.

3.The learned counsel appearing for the petitioner submit that the petitioner is an innocent and he is the founder of the said College. He has not been involved the prosecution case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) submits that the petitioner's name has not been mentioned in the FIR as accused. However, investigation is still pending and hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioner is a founder of the College and the petitioner is not named accused, this Court is inclined to grant anticipatory bail to the petitioner.

7.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 Metropolitan Magistrate for the exclusive trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, 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 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 petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

(d)the petitioner 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.

-sd/-

02/11/2021

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 METROPOLITAN MAGISTRATE FOR
THE EXCLUSIVE TRIAL OF CCB CASES
(RELATING TO CHEATING CASES IN CHENNAI)
AND CBCID METRO CASES,
EGMORE, CHENNAI.

2 THE INSPECTOR OF POLICE,
B-4, HIGH COURT POLICE STATION,
HIGH COURT, CHENNAI 600 104.

3 ASSISTANT COMMISSIONER OF POLICE,
CENTRAL CRIME BRANCH, EDF-1, VEPERY,
CHENNAI 600 007.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.B.VIJAY Advocate on payment of necessary charges
SR.NO.12447

CRL OP.20836/2021

Date :02/11/2021

INBA-17/11/2021