



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.24004 of 2021

WEB COPY

P.R.Jayashree

.. Petitioner

Vs.

The State, Represented by
The Inspector of Police
Vigilance and Anti Corruption,
Cuddalore.
(Crime No.16 of 2021)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.16 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Saravanan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 167, 420, 477-A, 409 of IPC r/w 13(c) r/w 13(2) r/w 13(1)(a) of prevention of Corruption Act, 1988 in Crime No.16 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner who is working as a Assistant Engineer, Kurinjipadi Panchayat Union, Cuddalore District, who is the in-charge for the Pradan Mantri Awas Yojana to oversee the disbursement of funds to the beneficiaries for constructing the house, here, the allegation is that she disbursed the amount to the beneficiaries without constructing any house for a worth of Rs.6,76,448/- and created loss to the Government. Hence, the complaint

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. He further submits



that she has not any bad antecedents with regard to the Government service and she successfully constructed the 600 houses in various villages. Hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.side) appearing for the respondent opposed for granting anticipatory bail to the petitioner by stating that without constructing the house she disbursed the benefits to the beneficiaries and he further submits that which needs detailed investigation.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and she is being the Government servant there is no possible of absconding, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Special Judge-Cum-Chief-Judicial Magistrate, Cuddalore, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner is directed to report before the respondent police as and when required for interrogation and directed to cooperate for the investigation;

[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 petitioner in accordance with law as if the conditions has 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];



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

10/12/2021

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 CUM CHIEF
JUDICIAL MAGISTRATE, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTICORRUPTION,
CUDDALORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.SARAVANAN Advocate on payment of necessary charges
Sr.14497

CRL OP.24004/2021

Date :10/12/2021

RVR 23/12/2021