



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18569 of 2021

Swaminathan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Vigilance and Anti Corruption,
Thanjavur.
Crime No.10 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Anantha Padmanaban,
for M/s.APN Law Associates, Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.10 of 2021 on the file of the Respondent Police.

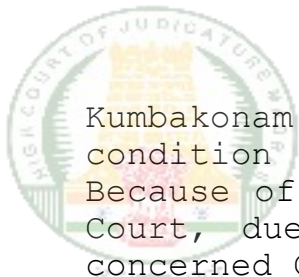
ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 7 of Prevention of Corruption Act, in Crime No.10 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that one Kandasamy, who was working as Manager at BDO Office, Thanjavur, seeks bribe of Rs.9,000/- from the *defacto* complainant for plot registration. Since, Kandasamy went on leave, the petitioner was working in the seat of above said Manager Kandasamy and received the above said bribe amount of Rs.9,000/- from the *defacto* complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is suffering from heart ailment and he already got

<https://hcservices.courts.gov.in/hcservices/> per the order of learned Chief Judicial Magistrate,



Kumbakonam in Crl.M.P.No.166 of 2021 dated 20.10.2021, with a condition to surrender before the concerned court on 11.11.2021. Because of his ailment, he could not surrender before the concerned Court, due to violation of condition, warrant was issued by the concerned Court against the petitioner.

WEB COPY

4.Without going into the merits of warrant issued by the concerned Court, this Court is of the view that this petition can be considered on medical grounds. Since the medical records of the petitioner shows that he is under continuous treatment for his heart ailment. Only on that ground, direction was given to the petitioner to appear before the Medical Board, attached to Thanjavur Medical Hospital for assessing his health condition.

5.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner appeared before the Medical Board and so far as report not yet received. The matter is under investigation.

6.Considering the health condition of the petitioner, interim bail that has been granted by the learned Chief Judicial Magistrate, Kumbakonam in Crl.M.P.No.166 of 2021 dated 20.10.2021, shall extended till further orders and the warrant issued against this petitioner need not be executed.

7.The petitioner shall appear before the concerned Court on 07.01.2022 and he shall appear before the respondent police once in a month at 10.30AM until further orders and co-operate with the investigation.

8.With the above said direction, this petition is disposed of.

sd/-
21/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE CHIEF JUDICIAL MAGISTRATE,
KUMBAKONAM.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION, THANJAVUR.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE
MEDICAL BOARD,
TANJORE MEDICAL COLLEGE HOSPITAL,
TANJORE DISTRICT.

+1 CC to M/S.APN LAW ASSOCIATES, Advocate (SR-9542[I] dated
21/12/2021)

ORDER

IN

CRL OP(MD) No.18569 of 2021

Date :21/12/2021

PNM

MK/JC/SAR.I/28.12.2021/3P/6C