



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM:

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

CrI.O.P.No.3541 of 2022

Mani

... Petitioner

Vs.

State Rep by
Deputy Superintendent of Police,
District Crime Branch,
Salem District.
(Crime No.9 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.4 of 2022 in the Court of the learned Judicial Magistrate NO.VI, Salem, in Crime No.9 of 2021, pending on the file of the respondent police.

For Petitioner : Mr.R.John Sathyan

For Respondent : Mr.L.Baskaran
Government Advocate (CrI.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 28.11.2021 for the offences under Sections 120-B, 420 IPC, in Crime No.9 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the defacto complainant completed B.E. Mechanical Engineering in the year 2017 and his father is working as a Mechanic in the Bus Depot at Neyveli Lignite Corporation. In the month of December 2018, the father of the defacto complainant got acquaintance with one Mayilvaganan through whom they met one Selvakumar/A2 and the petitioner/A1 who was the personal Assistant of the then Chief Minister of Tamil Nadu. The said Selvakumar and the petitioner assured to secure a job for the defacto complainant in the State Transport Corporation as an Assistant Engineer and demanded a sum of Rs.25 lakhs following which, the defacto complainant paid a sum of Rs.17 lakhs to them on various dates and after the announcement of 2021 election results, the said Selvakumar returned a sum of Rs.4 lakhs to the defacto complainant and assured him that he would get the balance amount of Rs.13 lakhs



deed along with the undertaking that he will not encumber the property on the file of the learned Judicial Magistrate No.6, Salem;

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

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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 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;

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

-sd/-

25/02/2022

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 JUDICIAL MAGISTRATE,
NO.6, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE DEPUTY SUPERINTENDENT OF POLICE,
DISTRICT CRIME BRANCH,
SALEM DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.JOHN SATHYAN Advocate on payment of necessary
charges SR.No.3017

CRL OP.3541/2022

Date :25/02/2022

CSK 28/02/2022