



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.11074 of 2022

N.NANDAKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
VELLORE.
CRIME NO.21 OF 2022

[RESPONDENT]

For Petitioner : MR.N.R.ILANGO, Senior Counsel for
M/S.A.S.ASWIN PRASANNA Advocate

For Respondent : MR.S.UDAYA KUMAR, 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 for the alleged offences under sections 13(2) read with 13(1)(e) of Prevention of Corruption Act, 1988, 13(2) read with 13(1)(b) of the Prevention of Corruption Act 1988 as amended in 2018 and under section 109 IPC read with 13(2) read with 13(1)(e) Prevention of Corruption Act, 1988, 12 read with 13(2) read with 13(1)(b) of the Prevention of Corruption Act, 1988 in Crime No.21 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the husband of the Accused-1. It is alleged that, A1 enriched herself illicitly and acquired properties and pecuniary resources in her name and in the name of her husband. Hence, the complainant has been registered.



3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he had been falsely implicated in this case. Hence, he pleads for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the present case has been registered against the wife of the petitioner for disproportionate asset case. He further submitted that no properties stand in the name of the petitioner and his wife involving the alleged offences.

5. Recording the submissions made by the learned Government Advocate (Crl. Side), 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, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned Chief Judicial Magistrate/ Special Judge, Vellore, on condition that the petitioner shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, 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 shall affix their photograph 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

(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 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.

-sd/-
11/05/2022

WEB COPY

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
/SPECIAL JUDGE, VELLORE

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.S.ASWIN PRASANNA Advocate on payment of necessary charges SR.NO.6990

CRL OP.11074/2022

Date :11/05/2022

JPA 13/05/2022