



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11960 of 2022

1 T.P.DURAI
2 D.GNANAMURUGAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP. BY ITS
DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION (V AND AC),
TIRUVANNAMALAI.
CRIME NO.6 OF 2018

[RESPONDENT]

For Petitioner : M/S.SATHIYARAJ E. Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 13(2) r/w 13(1)(c)(d) of the Prevention of Corruption Act 1988 and Sections 120(B), 167, 468, 471, 420, 477A, 409 of IPC r/w 109 of IPC in Crime No.6 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner/A1 and A2 were the President and Secretary respectively of the Thiruppanagadu Primary Agricultural Co-operative Credit Society. As per the Government order, A2 prepared the details of beneficiary list for the borrowers to waive the outstanding (Agricultural) loan. In this connection, A1 and A2 conspired together and included the name of A1 in the beneficiary list illegally, thereby, causing loss to the Government fund of Rs.84,892/- and the second petitioner/ A3 obtained a sum of Rs.10,00,000/- towards loan from the Society for purchasing



a harvester machine, though he is eligible only for getting a loan amount of Rs.5 lakhs. Based on the detailed enquiry, the respondent police registered a case in Crime No.6 of 2018.

3.The learned counsel for the petitioners submitted that the first petitioner was a Member of the Thirupppangadu Primary Agricultural Co-operative Credit Society and also served as a President of the said Society, without any single remark from the year 2013. Learned counsel further submitted that since A1 and A2 are farmers, they are doing agricultural work in their village and they have obtained loan from the said Society and the same was waived by the Government after due verification. Learned counsel would further submit that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submits that the first petitioner/A1 and A2, who were the President and Secretary respectively of the above Society, colluded together, created false agreement and cheated the Government, by causing loss to the tune of Rs.84,892/- to the Government. Though the name of the second petitioner/A3 is in the F.I.R., he has not involved in the above offence and therefore, he is not an accused in this case.

5.Taking into consideration the allegations made against the first petitioner/A1 and also the fact that the first petitioner/A1 along with A2 misused the Government order in respect of waiving the loan for the farmers, thereby, causing a loss to the Government to the tune of Rs.84,892/-, this Court is not inclined to grant anticipatory bail to the first petitioner/A1. Accordingly, this petition is dismissed in respect of the first petitioner/A1.

6.Considering the submission made by the learned Additional Public Prosecutor to the effect that the second petitioner/A3 is not an accused in this case and he has not involved in the above offence, this Court is inclined to close this petition in respect of the second petitioner/A3. Accordingly, this petition is closed in so far as the second petitioner/A3 is concerned.

-sd/-
19/05/2022

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 DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION (V AND AC) ,
TIRUVANNAMALAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.SATHIYARAJ E. Advocate on payment of necessary
charges SR.NO. 7695

CRL OP.11960/2022

Date :19/05/2022

RW-24/05/2022