

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12895 of 2022

R.SRINIVASAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
TIRUVANNAMALAI DISTRICT,
CRIME NO. 01 OF 2022.

[RESPONDENT]

For Petitioner : M/S.T.GOWTHAMAN Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 13(2) r/w 13(1) (a) of the Prevention of Corruption Act, 1988 as amended by PC (Amendment) Act, 2018 , in Crime No.01 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the Government of Tamil Nadu had sanctioned a sum of Rs.2000/- each to various handloom and silk weavers, who are not registered under the Tamil Nadu Handlooms and silk weaving workers Welfare Board as relief during Covid - 19 lockdown period. When the amount was to be disbursed to the weavers concerned through their bank accounts subject to certain conditions, the 1st accused and the petitioner, who is serving as an Assistant Director in Handlooms and Textile Department have failed to exercise their due diligence in selecting beneficiaries from the list of unregistered workers while processing the applications and they alleged to have not verified with the list of persons who have already obtained the assistance availed by the Labour Department, due to which, a loss said to have been caused to the tune of Rs.4,62,000/- to the Government. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed

any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4. The learned Additional Public Prosecutor would submit that this Court has already granted interim anticipatory bail to the petitioner and he has complied with the conditions regularly. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen that the petitioner has regularly appear before the respondent police and co-operate for the investigation as per earlier order of this Court.

6. Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Special Judge cum Chief Judicial Magistrate, Tiruvannamalai, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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 shall appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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 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].

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

-sd/-

24/06/2022

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 SPECILA JUDGE CUM CHIEF
JUDICIAL MAGISTRATE, TIRUVANNAMALAI

2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
TIRUVANNAMALAI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.GOWTHAMAN Advocate on payment of necessary charges
SR.NO.10075

CRL OP.12895/2022

Date :24/06/2022

RVR 29/06/2022