



Crl.O.P.No.17383 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 468, 471 and 120B of IPC and Sections 7 and 7A of the Prevention of Corruption Act, 1988 in Crime No.RC 032 2022 A 0005 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the accused viz., K.Joseph Peter Antony, who is an employee of NLC India Limited, got a bribe of Rs.27,46,000/- from the defacto complainant for arranging jobs in South Western Railway to her and to her husband. It is further alleged that the copies of the appointment orders in the name of the defacto complainant were also sent to her. Later, she came to know that the appointment orders received by her are fake ones. When she questioned the accused therein about this, she was threatened by him Hence, the complaint.



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3. The learned counsel for the petitioner would submit that the petitioner has received a notice on 20.07.2022 from the respondent police under Section 160 of Cr.P.C summoning her to appear before the respondent police as a witness on 22.07.2022. Though the petitioner was only sent a notice to be appeared as witness, the respondent police has called her and threatened her by saying that the she got acquainted with the circumstances of the above case. the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution and thereby, she is apprehending arrest in the hands of the respondent police. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Special Public Prosecutor for CBI Cases would submit that the the accused viz., K.Joseph Peter Antony, who is an employee of NLC India Limited, got a bribe of Rs.27,46,000/- from the defacto complainant for arranging jobs in South Western Railway to her and to her husband. Hence, he vehemently opposed to grant anticipatory



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5. According to the prosecution, the petitioner is a suspected accused and not even arrayed as accused so far. However, the investigation reveals that the first accused son has paid a sum of Rs.5,00,000/- to the petitioner and it is under investigation.

6. Considering the above fact and circumstances of the case and also considering the submissions made by both counsel, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before ***the learned Additional Chief Metropolitan Magistrate, Chennai*** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the



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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 report before the respondent police daily twice at 10.30 a.m and 05.30p.m., for a period of two 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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