



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

CORAM:

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

Cr1.O.P.No.25307 of 2021

C.Vijayakumar

.. Petitioner

Vs.

State represented by  
Inspector of Police,  
CCB, EDF-II,  
Vepery, Chennai 600 007.  
Crime No.213 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police in Cr.No.213 of 2021 on the file of the respondent police.

For Petitioner : Mr.S.Shanmuga Velayutham

For Respondent : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 403 and 40 of IPC, in Crime Number 213 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is the petitioner initially worked as a Constable in Police Department and thereafter he was recruited as a Sub-Inspector of Police and thereby he allegedly received two salaries from the Government. Hence, the defacto complainant lodged a complaint against the petitioner.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the extra payments also deducted from the salary and to that effect he



affixed the salary particulars of the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent raised his strong objections for granting anticipatory bail to the petitioner stating that the petitioner had given two different Date-of-Birth and created two service and received two salaries by creating a loss to the Government to the tune of Rs.18 lakhs. He further submits that the investigation almost completed.

5. Considering the facts and circumstances of the case and also considering that already the concerned authority started to deduct the amount who is for Rs.20,000 for a period of 90 months. Hence considering the recovering proceedings had already been started, 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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned CCB&CBCID SPECIAL COURT, Egmore, 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 satisfaction of the learned Magistrate concerned 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 Court concerned 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 on every Saturday at 10.30.a.m., for a period of two months and thereafter as and when required.

[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 has been imposed and the petitioner is 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;

WEB COPY

-sd/-

24/01/2022

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 CCB & CBCID SPECIAL COURT,  
EGMORE, CHENNAI.

2 THE INSPECTOR OF POLICE,  
CCB, EDF-II, VEPERY,  
CHENNAI-600 007.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.S.SHANMUGA VELAYUTHAM Advocate on payment of  
necessary charges SR.No.1100

CRL OP.25307/2021

Date :24/01/2022

CSK 01/02/2022