



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

RESERVED ON : 14/02/2022

PRONOUNCED ON : 18/02/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.2615 of 2022

Amarjothi, ... Petitioner/Accused No.9

Vs

The State Rep. by,
The Inspector of Police,
District Crime Branch,
Theni, Theni District.
(Crime No. 17 of 2021).

... Respondent/Complainant

For Petitioner : Mr.D.Balamurugapandi, vAdvocate.

For Respondent : Mr.Veerakathiravan

Additional Advocate General
assisted by

Mr.M. Muthumanikkam,

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 17 of 2021 on the file
of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.9, who apprehends arrest at the
hands of the respondent police for the offences punishable under
Sections 409, 465, 466, 477A, 468, 471, 472 and 109 I.P.C., Sections
13(2), 13(1)(C) and 13(1)(d)(i) of Prevention of Corruption Act,
1988, in Cr.No.17 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that without proper
application and procedures, the Government lands have been
transferred in the name of the individuals, mostly the relatives of
the Government officials through online and swindled the Government
lands. In the present complaint.



3. The learned Additional Advocate General appearing for the State would submit that the Government Officials had swindled Government lands worth of Rupees Seven Hundred Crores and it will be the biggest scam in the State of Tamil Nadu, that the Government officials, without proper application and procedures had transferred the Government lands in the name of individuals, mostly to the relatives of the Government officials through online and subsequently they have executed documents in favour of others, in pursuance of the said assignment of lands.

4. The learned Counsel appearing for the petitioners would submit that the petitioner's husband has already been arrested by the respondent police by levelling charges against the petitioner's husband and now they have issued summons under Sections 160 and 91 Cr.P.C., to the petitioner to appear for enquiry and that the petitioner is apprehending that the respondent may arrest her, if she appear in pursuance of the summons issued to her.

5. The learned Additional Advocate General appearing for the State would submit that the petitioner's husband is the main accused and he is in judicial custody.

6. The learned Counsel appearing for the petitioner would submit that this Court, while considering the anticipatory bail application of the co-accused, has passed an order directing the petitioner therein to appear before the CBCID with all available documents within 10 days and the CBCID, after perusing the records, shall get permission from the concerned Judicial Magistrate Court and arrest the petitioner if necessary for custodial interrogation.

7. Another learned Judge of this Court, while considering another anticipatory bail application in Crl.O.P.(MD)Nos.1829 and 1990 of 2022 has specifically observed that the custodial interrogation of the petitioner was very much necessary to unearth the truth and dismissed the petition.

8. As rightly contended by the learned Counsel for the petitioner, the above two anticipatory bail applications have been filed by the Government officials, who had cleared the files and who are shown as the main accused and that therefore, dismissal of those petitions cannot be taken into account, while considering the petition of the petitioner herein.

9. It is pertinent to mention that the petitioner's husband is in judicial custody and the charges are levelled against the petitioner only through her husband. Admittedly, the respondent has issued summons under Sections 160 and 91 Cr.P.C., to the petitioner to appear for enquiry.

issued to

12. With the above directions, the Criminal Original Petition is disposed of.

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TO

- +1CC toM/s.D.BALAMURUGAPANDI, Advocate (SR-1315[I]dated 21/02/2022)
ORDER
IN
CRL OP(MD) No.2615 of 2022
Date :18/02/2022