



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 09/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.20041 of 2021

M.Muthudayar

... Petitioners/Accused No.1

Vs.

State rep.by

1.The Superintendent of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
73, Aathikulam Road,
Pudur Vandipathai Road,
Reserve Line Post,
Madurai-625 014.

2.The Inspector of Police,
Anti Corruption Branch,
73, Aathikulam Road,
Pudur Vandipathai Road,
Reserve Line Post,
Madurai-625 014.

... Respondents/Complainants

For Petitioner : M/s.VR.Shanmuganathan, Advocate

For Respondents : M/s.L.Victoria Gowri
Additional Solicitor General

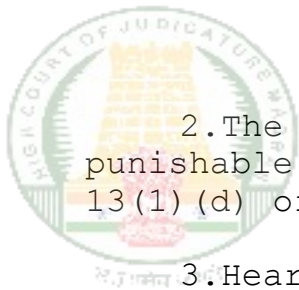
PETITION FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in RC No.229-2021-A-0007 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A1 apprehending arrest at the hands of the respondent police for the alleged offences under sections 120(B) r/w 420 IPC and section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, in RC No.229-2021-A-0007, seeks anticipatory bail.



2.The petitioner is facing the charges for the offences punishable under sections 120(B) r/w 420 IPC and section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988.

3.Heard both sides.

4.During the course of argument, the learned Additional Solicitor General appearing for the respondents would submit that without proper documents, bills, this petitioner also assisted and conspired with the co-accused to claim the credit facility, which was available to the party, as per the terms of the contract and as per the policy of the Government.

5.The matter was reserved for orders and in the meantime, the learned counsel appearing for the petitioner produced the relevant vouchers, bills, etc. So the learned Additional Solicitor General was required to peruse the entire records and advance the argument on the basis of the records. So on that ground, again the matter was listed for clarification and the learned Additional Solicitor General submitted that even though the documents have been submitted, those documents can be considered only during the course of investigation and trial.

6.So in the light of the above facts and circumstances, when documentary evidences are available to show the prima facie case that it is only on the basis of the proper documentation, credit facility was availed the petitioner is entitled for anticipatory bail, considering the limited role that has been allegedly played by the petitioner.

7.In view of the above facts, this Court is inclined to grant **anticipatory bail to the petitioner** with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned II Additional District Court for CBI Cases, Madurai and on his executing 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 learned Judge concerned and on further condition that the petitioner shall appear before the respondent police once in 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-

09/02/2022

/TRUECOPY /

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Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE II ADDITIONAL DISTRICT
COURT FOR CBI CASES, MADURAI.

2. THE SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION, ANTI
CORRUPTION BRANCH, 73, AATHIKULAM ROAD,
PUDUR VANDIPATHAI ROAD, RESERVE LINE POST,
MADURAI-625 014.

3. THE INSPECTOR OF POLICE,
ANTI CORRUPTION BRANCH,
73, AATHIKULAM ROAD,
PUDUR VANDIPATHAI ROAD,
RESERVE LINE POST,
MADURAI-625 014.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SHANMUGANATHAN VR Advocate SR.No.1051

ORDER
IN
CRL OP(MD) No.20041 of 2021
Date :09/02/2022

SP/SBN/SAR IV/14/02/2022/3P/6C