



Crl.OP.No.14112 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 13(2) and 13(1)(c) of Prevention of Corruption Act, 1988 in Crime No.3/AC/2023/CC-II seeks anticipatory bail.

2. The case of the prosecution is that the accused who was working as Sub-Registrar at Joint I, Sub Registrar's Office, Saidapet, during his tenure had permitted the registration of fraudulent documents for pecuniary gains. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is a Senior Citizen aged 72 years and he had worked during the period 2007 as Sub Registrar at Saidapet and he had registered all documents after due diligence, whereas after his retirement, a false complaint has been given as if he had received pecuniary gains for allowing to register fraudulent documents. He would further submit that even as per the prosecution, the case is borne out by documents. He is ready to abide any stringent condition and thereby he would seek for anticipatory bail.



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4. The learned Government Advocate (Crl.Side) would vehemently oppose to grant anticipatory bail to the petitioner by stating that the petitioner and the other accused while working as Sub Registrars at Joint I, Sub Registrar's Office, Saidapet had after obtaining pecuniary gains had permitted registration of fraudulent documents. He would submit that investigation is pending. However, he would fairly submit that the custody of the petitioner may not be required

5. Heard both sides and perused the materials available on records including the FIR.

6. Taking in to consideration the facts and the circumstances of the case and also 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Special Court under Prevention of Corruption Act, Chennai* on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty thousand only)** with two sureties, out of which, one surety must be a blood related surety, 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/trial Court 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 every day at 10.30 a.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] 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, 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 petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

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