



Crl.O.P.No.20739 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.20739 of 2023

Kadirmani,
S/o.Palaniappan

...Petitioner/Accised-4

Vs.

State represented by
The Inspector of Police,
EDF-I, Team-I,
Central Crime Branch-I,
Vepery, Chennai.

(Crime No.95 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail to the petitioner in CCB Crime No.95 of 2023 on the file of the Respondent police on such terms and conditions.

For Petitioner : Mr.L.Murali Krishnan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner/A4 seeks bail in Crime No.95 of 2023, registered by the respondent police for the offences punishable under Sections 120(B), 406, 420 r/w 34 of IPC. He had been arrested and remanded into judicial custody on 07.082023.

2.The defacto complainant had stated that he is a retired Professor and Head of the Department of the Computer Science Department in Alagappa University and he had applied for the post of Vice Chancellor in the year 2014. A1 had promised him to use his influence with the Union Government and the State Government to get the post the Vice Chancellor, which would cost him Rs.5 crores and Rs.1 crore to be paid to him.

3.It is stated that the defacto complainant had transferred a sum of Rs.72,00,000/- to the bank account of the accused 1 and 2. It is stated that the petitioner/the 4th accused was a beneficiary of the transfer of Rs.25,00,000/-.



4. My learned predecessor had granted interim bail to the petitioner without entering into a detailed discussion on merits but directing the petitioner to deposit a sum of Rs.19,00,000/-.

5. It is stated that the said condition had been complied with by the petitioner by three installments of Rs.7 lakhs, Rs.7 lakhs and Rs.5 lakhs respectively. A memo to that extent had also been filed and the said fact alone also be verified and stated by the respondent.

6. In view of that particular fact, I am inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his surrender before Jurisdictional Magistrate Court and executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two fresh sureties, each for a like sum to the satisfaction of the The Court of Exclusive Trial of CCB and CBCID Metropolitan Magistrate, Egmore, Chennai, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.



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[b] the petitioner shall surrender and report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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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To

1. The Court of Exclusive Trial of CCB and CBCID Metropolitan Magistrate, Egmore, Chennai
2. The Central Prison, Puzhal.
3. The Inspector of Police,
EDF-I, Team-I,
Central Crime Branch-I,
Vepery, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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