



Crl.O.P.No.10612 of 2024

WEB COPY

**Crl.O.P.No.10612 of 2024**

**C.V.KARTHIKEYAN, J.**

The petitioner/A-10 seeks anticipatory bail in Spl.C.C.No. 10 of 2023 before the learned Chief Judicial Magistrate, Thiruvarur.

2. Originally, FIR in Cr.No. 8 of 2021 had been registered by the respondent for the offences punishable under Sections 120(b), 420, 409, 469, 471 of IPC and Section 13(2) read with Section 13(1)(a) of the Prevention of Corruption Act, 2018 and Section 109 of IPC. Subsequently, the provisions had been altered to Section 120(B), 420, 409, 468, 471 of IPC and Section 13(2) read with Section 13(1)(C) of Prevention of Corruption Act, 1988 read with Section 109 IPC and 120(B), 420, 409, 468, 471 of IPC and Section 13(2) read with Section 13(1)(a) and Section 12 of Prevention of Corruption Act, 1988.

3. The facts in brief are that, the petitioners are said to have extended benefits under the Pradhan Mantri Awas Yojana Scheme to non-beneficiaries and had obtained illegal gratification for the same. All the accused are Block Development Officers, Zonal Deputy Block Development Officers, Deputy Block Development Officers (Panchayat), Junior Engineer, Union Overseer of Mannargudi.



Crl.O.P.No.10612 of 2024

WEB COPY

4. It may not be proper on the part of this Court to enter into a detailed discussion on the facts of this case, since investigation has been completed and final report has been filed, which would indicate that it is the trial Court which will now have to frame charges and proceed to invite the prosecution to tender oral and documentary evidence to establish the charges.

5. The charge sheet had been taken cognizance as Spl.C.C.No. 10 of 2023 by Chief Judicial Magistrate, Thiruvarur. In the charge sheet the petitioners herein have been categorised as absconding accused. During the course of investigation none of these petitioners have bothered to approach any Court of law seeking anticipatory bail. Additionally, as against A10 NBW has also been issued.

6. The other applications seeking anticipatory bail was dismissed on 28.03.2024 wherein reliance had been placed on the Judgment of the Hon'ble Supreme Court in ***MANU/SC/0198/2024, Srikant Upadhyay and Ors. Vs. State of Bihar and Ors.***

7. The learned counsel for the petitioner stated that the petitioner would surrender before the trial Court and stated that orders may be passed on the same day. That would be possible only if the



CrI.O.P.No.10612 of 2024

WEB COPY

records are available with the learned Chief Judicial Magistrate, Tiruvarur where Special S.C.No. 10 of 2023 is pending.

8. The discretion is vested with the learned Chief Judicial Magistrate to pass any order he deems fit but if records are available, then he may pass necessary orders on the same day of surrender provided ofcourse, the petitioner surrenders at the initial sitting of the Court at 10.30 a.m.

9. This Petition seeking anticipatory bail stands dismissed.

**29.04.2024**

vsg



WEB COPY



Crl.O.P.No.10612 of 2024

**C.V.KARTHIKEYAN, J.**

vsg

**Crl.O.P.No.10612 of 2024**

**29.04.2024**