



WEB COPY



Crl.O.P.No.21641 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl.O.P.No.21641 of 2024

Mathivanan

...Petitioner/Accused

Vs.

The State rep by  
Deputy Superintendent of Police,  
Vigilance and Anti-Corruption Wing,  
Ranipet.  
(Crime No.4 of 2024)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.4 of 2024 on the file of respondent police.

For Petitioner : Mr.R.Thamarai Selvan  
For Respondent : Mr.S.Vinoth Kumar  
Government Advocate (Crl. Side)

\*\*\*\*\*

**ORDER**



Crl.O.P.No.21641 of 2024

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 31.07.2024 for the offence under Section 7(a) of the Prevention of Corruption Act, 1988, in Crime No.4 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's land was acquired in the year 2018 for the construction of the Tindivanam Nagari Broad Gauge Railway Line. After receiving the information that the nearby landowners had received compensation, the defacto complainant and his son went to the Ranipet Collector Office, with the original Will and other documents. The petitioner/Special Tahsildar, received all the documents and original Will from the defacto complainant and was told that the defacto complainant would get Rs.6,27,080/- as compensation. He further demanded that one percent of the compensation amount should be given for office expenses and Rs.4,000/- should be paid to him after the compensation amount has been credited to the account of defacto complainant. The petitioner/accused/Special Tahsildar, further threatened the defacto complainant that he would return the original Will and other original



Crl.O.P.No.21641 of 2024

documents only after he got the money. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner has been in custody since 31.07.2024; that the petitioner is a law-abiding citizen; that he is ready to furnish substantial sureties for his due release on bail; and therefore, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the petitioner/accused/Special Tahsildar demanded one percent of the compensation amount from the defacto complainant, who was entitled to Rs.6,27,080/- for his land; that there are no previous cases pending against the petitioner; and that the investigation was completed. However, he vehemently opposed the grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.



Crl.O.P.No.21641 of 2024

6. Considering the representation made by both sides, that already the investigation was completed, that there are no previous cases pending against the petitioner, and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail 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 *Chief Judicial Magistrate, Ranipet*, and on further conditions that:

**[a] the petitioner shall report before the learned Chief Judicial Magistrate, Ranipet on every working day at 10.30 a.m. until further orders;**

[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person



CrI.O.P.No.21641 of 2024

acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

**04.09.2024**

*dk*

To  
1.The Chief Judicial Magistrate,  
Ranipet  
  
2.The Superintendent of Prison



CrI.O.P.No.21641 of 2024

WEB COPY

Central Prison Vellore.

3.The Deputy Superintendent of Police,  
Vigilance and Anti-Corruption Wing,  
Ranipet.

4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**

*dk*



WEB COPY



Crl.O.P.No.21641 of 2024

Crl.O.P.No.21641 of 2024

04.09.2024