



CRL OP(MD) No.4530 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty First day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4530 of 2024

K. VIJAYAKUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
TENKASI DISTRICT.
CR.NO.03/2024

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.KATHIRVELU, Senior Counsel for
M/S.PRABHU.K, Advocate

For Respondent : MR.S.MANIKANDAN,
Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.03/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for



CRL OP(MD) No.4530 of 2024

the alleged offence under Sections 13(2) r/w. 13(1)(e), 13(2) r/w. 13(1)(b) of Prevention of Corruption Act, 1988 in Crime No.3 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioner is employed as Secretary of the EE-255 Ramansamypuram Primary Agricultural Co-Operative Credit Society, Tenkasi. During the period of 01.01.2018 to 30.09.2022, the petitioner had intentionally enriched himself and is in possession of assets, which are disproportionate to his known sources of income. During the said period, he was in possession of assets worth about Rs.72,52,022/-, but whereas, his income for relevant check period is only Rs.30,17,257/-. Based on the preliminary enquiry, the respondent Police registered a case in Crime No.3 of 2024.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further, the petitioner purchased the movable and immovable properties out of his own income and by availing loan from the Banks. On instruction, he would further submit that the petitioner is ready to co-operate with the investigation by appearing before the respondent Police daily till conclusion of the investigation. Hence, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the case is registered only on 07.03.2024 and the investigation is at preliminary stage. Hence, he

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CRL OP(MD) No.4530 of 2024

vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is come forward to co-operate with the investigation and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he 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 of receipt of a copy of this order, before the learned Special Judge, Trial of Cases under Prevention of Corruption Act, Tirunelveli District, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



CRL OP(MD) No.4530 of 2024

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(c)the petitioner shall report before the respondent police daily at 10.30 a.m., till conclusion of the investigation, failing which, the anticipatory bail granted to the petitioner shall stand automatically vacated

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD) No.4530 of 2024

INDU
TO

- 1 THE SPECIAL JUDGE
TRIAL OF CASES UNDER PREVENTION OF CORRUPTION ACT,
TIRUNELVELI DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
TENKASI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.PRABU, Advocate (SR-3543[I] dated 22/03/2024)

ORDER
IN

CRL OP(MD) No.4530 of 2024

Date :21/03/2024

PKP/GS/SAR /25.03.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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