



CRL OP(MD)No.10952 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 22.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN  
CRL OP(MD)No.10952 of 2024

Mathan Kumar

... Petitioner/ Accused No.3

Vs

The Inspector of Police,  
Vigilance and Anti Corruption Police Station,  
Tirunelveli District.  
(Crime No.05 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.N.Mohideen Basha, Advocate  
For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.05 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120B, 167, 468, 471, 419 and 409 IPC and Section 13(2) r/w Sections 13(1)(a) and 12 of the Prevention of Corruption Act as amended in Act 16 of 2018 in Cr.No.05 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 worked as General Manager in District



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Industries Centre, Tirunelveli from 27.02.2018 to 28.08.2021. The Government has introduced Amma Skill Employment and Training Scheme under which training will be given to the students and stipend of Rs.2000/- per month will be provided for six months and that 122 students have been trained from 08.05.2018 to 15.12.2018 by one Mariselvi in her Arise Educational Institution and among which 116 students were eligible for stipend and their stipend amount of Rs.13,92,000/- ought to have been credited in the account of said Mariselvi. But A1 has credited Rs.13,92,000/- to the account of A1, who in-turn en-cashed the amount through cheques. Similarly, 40 students were trained by one Arputhamani in her Azani Tailor and Tailoring Institution and a sum of Rs.4,80,000/- ought to have been credited in the account of one K.Arputhamani, was credited in the current account of A3 and the same was en-cashed through cheques. Similarly, 19 eligible students were trained by one Rosy Grace Bell in her J C Roshan Garments and the stipend amount of Rs.2,28,000/- has been credited in the account of A3 and A1 has opened two Bank Accounts in the name of A3 by citing him the owner of Arise Educational Institution and Azani Tailor and Tailoring Institution by false documents. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

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4.The learned Government Advocate(Crl.side) for the respondent submits that the investigation is yet to be completed.

5.Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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 of receipt of a copy of this order, before the Special Court for trial of Cases under P C Act, Tirunelveli on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioner is directed to deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of Cr.No.05 of 2024 before the Special Court for trial of Cases under P C Act, Tirunelveli;

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

(c)the petitioner shall report before the learned (\*)Special Court for trial of

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Cases under P C Act, Tirunelveli for all hearing dates, without fail;

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(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/-  
22/07/2024

(\*)Corrected as per order of this Hon'ble court  
in CRL OP(MD).10952/2024 dated 02/08/2024

Time is extended for futher two weeks for  
executing sureties, from the date of receipt of a  
copy of the amended order.

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/08/2024

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

gns



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TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON  
02/08/2024

1.THE JUDGE, SPECIAL COURT FOR TRIAL OF CASES UNDER P C ACT,  
TIRUNELVELI

2.THE JUDICIAL MAGISTRATE, KAMUTHI

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM

4.THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION POLICE STATION,  
TIRUNELVELI DISTRICT.

5.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.MOHIDEEN BASHA, Advocate ( SR-8241[I] dated 22/07/2024 )

ORDER IN  
CRL OP(MD) No.10952 of 2024  
Date :22/07/2024

RK/JGB (31/07/2024) 5P / 7C

RS/JGB (09/08/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing  
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