



CRL OP(MD). No.17042 of 2024

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

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17042 of 2024

1.P Magesh

2.S Lakshmanan

3.A Sudhakaran

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamil Nadu,
Represented by Its,
Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Thoothukudi District,
Thoothukudi.
(Crime No.06 of 2024.)

... Respondent/Complainant

For Petitioners : Mr.Ilamvaludhi.S, Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.06 of 2024 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 7 of Prevention of Corruption Act, 1988, in Crime No.06 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein are working as Junior Assistants in the office of the TASMAL Department, Thoothukudi. On 26.09.2024, the respondent Police went for inspection to the office of the petitioners and found some unaccounted money. Due to which, the respondent Police foisted a case against the petitioners herein. Hence, the complaint.

3. Heard. Perused the materials available on record including the First Information Report.

4. Considering the nature of allegations in this case that when a surprise check was conducted, huge amount of unaccounted cash has been found with each of the petitioners and it is suspected that it is ill-gotten and considering the fact that the case in Crime No.6 of 2024 has been registered on suspicion and the same has to be established and therefore, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of



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arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Chief Judicial Magistrate cum Special District Judge, Thoothukudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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.

[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme

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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under
Section 229A IPC.

sd/-
04/10/2024

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/10/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Chief Judicial Magistrate cum Special District Judge,
Thoothukudi.

2.The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Thoothukudi District, Thoothukudi.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.ILAMVALUDHI, Advocate (SR-12302[I] dated 07/10/2024)

ORDER
IN
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Date :04/10/2024



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ED/ VR /SAR- (17/10/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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