



CRL OP(MD). No.21777 of 2024

WEB COPY

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

Date : 11/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21777 of 2024

Mariappan

... Petitioner/ Accused No.3

Vs

State of Tamil Nadu,
The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Thoothukkudi District,
Thoothukkudi.
(Cr.No.07 of 2024.)

... Respondent/Complainant

For Petitioner : Mr.A.Joseph Jerry, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.07 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



CRL OP(MD). No.21777 of 2024

for the alleged offence under Section 7 of PC Act, 1988 as amended in 2018 in Crime

WEB COPY

No.7 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on a previous information, a surprise check was made. On search, it was found that A1 is working as Sub Registrar, A2 is an Office Assistant, A3 is a Document writer and A4 was also working in the document writer's office. A total sum of Rs.1.6 lakh of unaccounted money was seized. In view of the same, an FIR came to be registered for the offence under the Prevention of Corruption Act. There are totally four accused persons in this case and the petitioner has been arrayed as A3.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the entire money has been seized and none of the accused persons have been arrested in this case and taking note of the fact that there are no previous cases pending against the petitioner and this petitioner is said to be a document writer, who was available inside the Sub Registrar Office, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of



CRL OP(MD). No.21777 of 2024

WEB COPY

fifteen days from the date of receipt of a copy of this order, before the learned Chief Judicial Magistrate of Corrupt Cases, Thoothukkudi, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[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 respondent police every Monday, Wednesday and Friday at 10.30 a.m for a period of six weeks and thereafter, as and when required for interrogation.

[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



CRL OP(MD). No.21777 of 2024

WEB COPY

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 of BNS 2023.

sd/-
11/12/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

1.The Chief Judicial Magistrate of Corrupt Cases,
Thoothukkudi.

2.The Deputy Superintendent of Police,
Vigilance and Anti corruption,
Thoothukkudi District,
Thoothukkudi.

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

+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-15265[I] dated 11/12/2024)



WEB COPY



CRL OP(MD). No.21777 of 2024

ORDER

IN

CRL OP(MD) No.21777 of 2024

Date :11/12/2024

ED/ SKN /SAR- (26/12/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023