



CRL OP NO. 519 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 519 of 2025

Raja

S/o.Manickam, No.507/7, Arun Nagar, Alagapuram Pudur Salem
(w) Taluk Salem 636 016

Petitioner(s)

Vs

The State Rep.By Its Inspector Of Police
District Crime Branch, Salem Crime No 3/2024

Respondent(s)

For Petitioner(s):

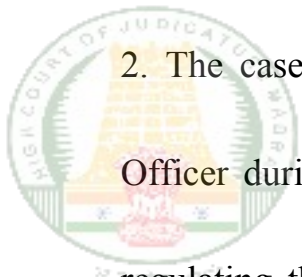
Jeevanantham S
R.Sankarasubbu
A.Ramesh
P.Loganathan
V.S.Jothilakshmi
A.Sivakumar @ Sivaaji
S.Mathivannan

For Respondent(s):

S.Santhosh
Public Prosecutor
Madras High Court.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 409 of IPC in Crime No.3 of 2024, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioner was working as Block Development Officer during the period 03.08.2019 to 28.02.2021 in Panamarathupatti Panchayat. While

regulating the planning permissions without following established rules arbitrarily granted approval, committed loss to the Government to the tune of Rs.21,00,004/-. Thus, charges under Section 409 of IPC has been framed against the petitioner. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner was working as a Block Development Officer and a departmental proceedings were initiated against him. He further submitted that the petitioner attended departmental enquiry and he was not allowed to retire from service. Further, the petitioner's monetary benefits have not been settled so far. He further submitted that the petitioner has been falsely implicated in this case and he is ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner, stating that the departmental action was taken against the petitioner and he was not allowed to retire from service.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.



Side) appearing for the respondent police and perused the materials available including the FIR.

6. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before **the learned Judicial Magistrate, VI, Salem** on condition that the petitioner shall execute separate 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 fails 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 on everyday at 10:30 A.M., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;



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

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

20-01-2025

msv
To
The Inspector Of Police
District Crime Branch,
Salem