



Crl.O.P.No.3873 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3873 of 2025

C.Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
SBI/ACB/Chennai.

(Crime No.RC0322020A0026).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.RC0322020A0026, pending investigation on the file of the respondent Police.

For Petitioner : Mr.V.Rajamohan

For Respondent : Mr.K.Srinivasan

Spl. Public Prosecutor for CBI Cases.

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.01.2025, seeking bail in Crime No.RC0322020A0026 registered for the offence under Sections 120B read with Section 409, 477A, 420 and Section 7 of Prevention of Corruption Act, 1988.



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2. The petitioner is facing trial for the prosecution under Sections 409, 477A, 420 and Section 7 of Prevention of Corruption Act, 1988. Earlier, petitioner was granted bail, however, subsequently the bail was cancelled on the ground that the petitioner did not cooperate with the trial and had filed frivolous petition accusing Officers of the respondent and others without any basis and protracted the trial.

3. Learned counsel appearing for the petitioner submitted that the pursuant to the cancellation of bail, petitioner was arrested on 03.01.2024 and is in custody since then. He also filed an affidavit of the petitioner seeking apology for filing frivolous petition and also undertook that he would no repeat such kind of activities in future. Hence, he prayed for grant of bail to the petitioner.

4. Heard the learned counsel appearing for the petitioner and the learned Special Public Prosecutor for CBI and perused the materials available on record.



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5. The relevant portion of the affidavit filed by the petitioner reads as follows:

2. I state that I am swearing this affidavit to seek apology for having not co-operated with the trial and for my conduct in protracting the trial proceedings.

7.I state that I extent my sincere an unconditional apology for having file those petitions which are not appropriate for the conduct of the trial. I truly regret for my conduct and I assure and undertake that I will not repeat such kind of activities in future. I also undertake to fully cooperate with the trial and I will not act in such a way to delay or protract the proceedings. I state that I fully understand the consequences of my inappropriate conduct and also understand the consequences in future if I repeat the same conduct. I have great respect for the trial Court as well as to the Presiding Officer and I regret for my conduct which undermines the decorum of the Court.

The affidavit filed by the petitioner shall forms part and parcel of this Order.

6. Considering the affidavit filed by the petitioner, period of incarceration, the petitioner was earlier granted bail, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XI Additional Sessions Judge/Special Judge for CBI Cases, Chennai** and on further conditions that:

[a] 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 petitioner shall report before the trial Court, on every Monday and Thursday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

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

[e] On breach of any of the aforesaid conditions or violates the undertaking given by him in the affidavit filed before this Court, 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



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Court himself as laid down by the Hon'ble Supreme Court in
P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 B.N.S.

24.02.2025

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To

1. XI Additional Sessions Judge/Special Judge for CBI Cases, Chennai
2. The Inspector of Police,
SBI/ACB/Chennai.
3. The Superintendent,
Central Puzhal Prison, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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