



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10131 of 2025

R.Madhan Kumar

.. Petitioner

Vs.

The State rep by
The Deputy Inspector General of Police,
Head Office, Central Bureau Investigation,
Anti Corruption Branch, Chennai.
(FIR. No.RC0322024A0015/2024)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of arrest in FIR. No.RC0322024A0015/2024 on the file of the
respondent.

For Petitioner : Ms.K.Kamaladevi

For Respondent : Mr.K.Srinivasan,
Special Public Prosecutor for
CBI Cases.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 120(B) r/w. Section 420,
468 & 471 of IPC and Section 7, 8 & 12 of PC Act, 1988 in FIR.



No.RC0322024A0015/2024, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner and the co-accused are working in the Chennai Port Trust, who had demanded Rs.70 lakhs as bribe from this petitioner to award a tender relating to disposal of 4 Tugs with spares worth about Rs.3,00,00,000/-; that the petitioner had paid the said sum as bribe; that however tender was not awarded to the petitioner; and that a complaint was lodged and after preliminary enquiry, the FIR was registered on 25.10.2024.

3. The learned counsel for the petitioner would submit that the alleged demand and receipt of bribe is said to have taken place in the year 2019; that the tender has not been awarded to the defacto complainant; that therefore no loss was caused to the Port Trust and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

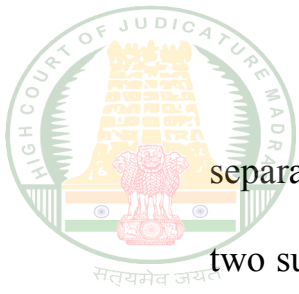
4. The learned Special Public Prosecutor for CBI cases appearing for the respondent police, while opposing the grant of anticipatory bail to the



petitioner, reiterated the prosecution case and confirms that the alleged offences took place in the year 2019; that the complaint was lodged in the year 2022 and FIR was registered in the year 2024; that the petitioner along with other accused co-operated with the respondent in the enquiry and appeared on summons regularly.

5. Admittedly, the alleged offence is said to have been taken place in the year 2019. The FIR was registered in the year 2024. The contract was not awarded to the petitioner. Hence, no loss was caused to the Chennai Port Trust. Though the investigation is still pending, considering the aforesaid facts and since the petitioner had co-operated with investigation, custodial interrogation of the petitioner is not required at this stage and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, 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 on which the order copy is made ready, before the **Special Court for CBI Cases, Chennai** on condition that the petitioner shall execute a



separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:

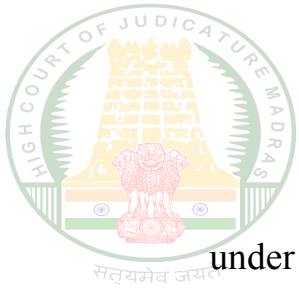
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week i.e., every Monday at 10.30 am until further orders;

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

[d] the petitioner 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 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];**



[f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 BNS.

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Index : Yes / No

Internet : Yes / No

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To

- 1.The Deputy Inspector General of Police,
Head Office, Central Bureau Investigation,
Anti Corruption Branch, Chennai.
- 2.The Special Court for CBI Cases, Chennai.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN, J.
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