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Crl.O.P.Nos.10554, 10154 & 9969 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.Nos.10554, 10154 & 9969 of 2025

M.Dhinadhayan

...Petitioner/Accused 1
in Crl.O.P.No.10554 of 2025

Chidambaranathan

...Petitioner/Accused 2
in Crl.O.P.No.10154 of 2025

N.Elamurugan

...Petitioner/Accused 3
in Crl.O.P.No.9969 of 2025

Vs.

State rep by
The Deputy Superintendent of Police,
CBI, ACB, Chennai.

(R.C.No.0322025A00004/CBI/ACB)

...Respondent in all Crl.O.Ps.

Common Prayer: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.R.C.No.0322025A00004/CBI/ACB pending investigation on the file of the respondent police.



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CrI.O.P.Nos.10554, 10154 & 9969 of 2025

(In CrI.O.P.No.10554 of 2025)

For Petitioner : Mr.N.R.Elango
Senior Counsel
for Mr.N.S.Suganthan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI)

(In CrI.O.P.No.10154 of 2025)

For Petitioner : Mr.R.Srinivas
Senior Counsel
for Mrs.Mythili Srinivas

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI)

(In CrI.O.P.No.9969 of 2025)

For Petitioner : Mr.R.Rajarathinam
Senior Counsel
for Mr.I.Sathish

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI)

COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners/A1 to A3, who were arrested and remanded to judicial custody on 23.03.2025, seeking bail in R.C.No.0322025A00004 / CBI / ACB



registered for the offence under Sections 61(2) of BNS, 2023 and Sections 7 and 8 of Prevention of Corruption Act, 1985.

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2.It is the case of the prosecution that A1, M.Dhinadhayalan was working as a Chief Engineer in PWD; that A2, R.Chidambaranathan was working as Executive Engineer in the same Department; that A3, N.Elamurugan was a Contractor who had undertaken a road laying contract work at Karaikal; that the total estimated amount was Rs.7,44,59,009/-; that A2 demanded a bribe of Rs.6 lakhs from A3, to be paid to A1; that on a secret information, the respondents intercepted A1 to A3 in PWD Guest House in Pondicherry and A3 was found handing over Rs.2 lakhs to A2 in the presence of A1; that on further investigation a sum of Rs.64 lakhs was seized from the house of A1 and Rs.8,13,500/- was seized from the house of A2 and that Rs.50,000/- was seized from A3. Hence, the case.

3.Mr.R.Rajaratnam, learned Senior Counsel, Mr.N.R.Elango, learned Senior Counsel and Mr.R.Srinivas, learned Senior Counsel submitted that the allegations are false; that in any case, further custody is not required since A1 and A2 have already been suspended from service and



investigation has almost been completed and therefore, sought for bail.

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4.Per contra, Mr.K.Srinivasan, learned Special Public Prosecutor, submitted that huge amount of cash was recovered from A1 and it has to be ascertained whether A1 is guilty of the offence of possessing assets disproportionate to his known source of income and if he is released on bail, he is likely to tamper with the evidence.

5.In response, the learned Senior counsel for A1 submitted that A1 has fixed marriage of his daughter on 09.05.2025 and considering the nature of allegations and the aforesaid facts, he may be released on bail.

6.Admittedly, the respondent had collected all the information and had intercepted the accused and seized the cash at PWD Guest House at Karaikal. Thereafter, the cash has been recovered from the house of A1 and A2. Both A1 and A2 have been suspended from service.

7.Considering the aforesaid facts and the period of incarceration, this Court is of the view that further custody of the petitioner is not required for



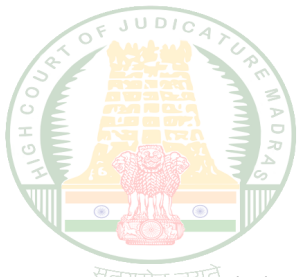
the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions:

8. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the learned **Special Judge (Under Prevention of Corruption Act, Cases), Karaikal**, 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 1st petitioner shall report before the respondent Police, everyday at 10.30 a.m., till 30th April, 2025 and thereafter, as and when required for investigation. The petitioners 2 and 3 shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for investigation.

[c] the petitioners shall co-operate for recording their voice samples as and when required by the respondents.



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[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

08.04.2025

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Copy to:

- 1.The Deputy Superintendent of Police,
CBI, ACB, Chennai.
- 2.The Special Judge (Under Prevention of Corruption Act Cases),
Karaikal.
- 3.Sub Jail, Karaikal.
- 4.The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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