



WEB COPY

CRL OP No. 30405 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30405 of 2025

1. S.Mohankumar
S/o.A.Sivaperuman, NO.15, 2nd Cross
street, nadesan nagar West Nellithope,
Pondicherry-605 005

Petitioner(s)

Vs

1. State rep by the Station House
Officer
Vigilance and Anti Corruption Unit,
Puducherry Cr.No.3 of 2023

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Cr.No.3 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.V.Chandru
for T.Vijay

For Respondent(s): Mr.M.V.Ramachandramurthy
Additional Public Prosecutor
Puducherry

**ORDER**

WEB COPY The petitioner, who was arrested and remanded to judicial custody for the alleged offence punishable under Sections 409, 420 r/w. Section 34 IPC and 13(1)(a) of the Prevention of Corruption Act, 1988 in Crime No.3 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.09.2023 at 14.30 hours a complaint was lodged by Marie Josephine Chitra, OSD (Health), Puducherry against Thiru. S.Natarajan, the then Pharmacist, National Rural Health Mission (NRHM), Puducherry & other officials of NRHM, Puducherry. In which, it is stated that during the year 2019, M/s.Sairam Agency & M/s.Shri Batmajothi Enterprises had supplied various medicines which was administered to the pregnant women by Primary Health Centers, Community Health Centers and Educational Institutions were found containing sediments and emanating pungent smell and unsuitable for distributing to the students. The Vitamin “A” solutions were also found intolerant to children causing vomiting and sickness. The Medicines are substandard quality. During the procurement of the medicines, Thiru.S.Natarajan, Pharmacist and other Officials of National Rural



Health Mission (NRHM), Puducherry has been involved in many misconducts of serious nature such as, supply of sub-standard medicines to PHCs/CHCs and Educational Institutions, and procurement of medicines from the agencies run by his wife and friend and caused huge revenue loss to the Government to the tune of Rs.44,03,252/-. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is ranked as A10 in this case, and the main accused A1 has already been arrested and released on bail. Another accused, who also worked as one of the Director-Mr.Raman-A11, was also released on bail by this court in Crl.OP.No.30992 of 2025 vide order dated 13.11.2025. He further submitted that the offence is alleged to have taken place in the year 2019, and the FIR was registered in the year 2023, and recently, the police have initiated the investigation, though A1 was earlier arrested and released on bail.

3.1. The learned counsel for the petitioner further submitted that the major allegation is that substandard medicines were supplied by A1/ manufacturer, however, there is no material to substantiate the same, and the investigation officer filed a counter in which he categorically stated that the



investigation is to be conducted to determine whether any students or pregnant women were affected by the distribution of substandard medicines. Apart from that, the petitioner herein has not been involved in any production activities. His role was to give contracts to eligible persons for the supply of medicines, and accordingly, by following norms, they have granted the contracts, and due to a change in the political scenario, a false complaint has been registered. Hence, he prayed for grant of bail to the petitioner.

4. Learned Additional Public Prosecutor (Puducherry) appearing for the respondent police submitted that the petitioner is one of the main accused, and he sanctioned funds to the mission. The petitioner, who is in the tender evaluation committee, has not properly evaluated the tender floated. Even though the finance committee has not approved for disbursement of money, the petitioner who has the capacity to disburse the funds to the extent of Rs.50 lakh, has floated tenders to the extent of 4.21 crores, hence, in this regard, investigation is going on. Hence, he opposed for grant of bail to the petitioner.

5. I have considered the submissions made on either side and perused the records. Admittedly, the petitioner herein was arrested and he was in



incarceration. Though he was granted interim bail by this court vide order dated 7.11.2025, and considering the fact that A11 and A9, who were also part of the mission and similarly placed were already granted bail. Apart from that, the main accused A1, who is alleged to have supplied the substandard medicines, has also been granted bail, and also considering the fact that supply of medicines took place in the year 2019 and the FIR was registered only in 2023, I am of the view that the petitioner is entitled to bail. Accordingly, I am inclined to grant bail to the petitioner.

6.The petitioner has already been granted interim bail by this Court vide order dated 07.11.2025 on certain conditions. The conditions imposed by this Court while granting interim bail shall remain unaltered except condition (b). The condition(b) is modified and the same reads as follows :

“(b) the petitioner shall report before the respondent police every Saturday and Sunday at 10.30 a.m., until further orders.”

14-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mpa



Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Principal District and Sessions Judge,
Puducherry.
- 2.State rep by the Station House Officer
Vigilance and Anti Corruption Unit,
Puducherry Cr.No.3 of 2023
- 3.The Superintendent of Police,
Central Prison, Kalapet, Puducherry.
4. The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
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