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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 32029 of 2025

K.Dhinesh Kumar

Petitioner

Vs

The State rep. by

Union Territory of Puducherry

Represented by its Inspector of Police

Vigilance and Anti-Corruption Unit,

Puducherry

Crime No. 3 of 2023.

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 his arrest pending investigation in Crime No. 3 of 2023 on the file of the respondent police.

For Petitioner : Mr.Krishna Moorthy N.

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409, 420 r/w Section 34 of IPC and Section 13(1)(a) of Prevention of Corruption Act, 1988, in Crime No. 3 of 2023, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner along with other accused have purchased medicines from one Natarajan who is a pharmacist and mishandled the same and also he is in possession of user ID and Password for the e-tender process thus involved in misuse of funds and he has also released the funds for purchasing the sub-standard medicine in the scheme. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the de-facto complainant has lodged a complaint against one Mr.Natarajan, the then Pharmacist, National Rulral Health Mission (NRHM), Puducherry and other officials. He further submits that M/s.Shri Batmajothi Enterprises and



M/s.Shri Sairam Agency had supplied various medicines which was administered to the pregnant women by Primary Health Centre and also supplied to the Community Health Centres and Educational Institutions.

They were found containing sediments and emanating pungent smell and unsuitable for distributing to the students. They have involved for the supply of sub-standard medicines 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, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by learned counsels on either side, already co-accused who are ranked as A10, A11 and A1 were granted bail as per the orders passed by this Court, and some of the suppliers also granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



7. 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 made ready, before the learned **Principal District Judge, (Special Judge under the PC Act, Puducherry,** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] **the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;**



[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

24.11.2025

MSM
To

1.The District Munsif-Cum Judicial Magistrate, Annur.

2.The Inspector of Police
Kovilpalayam Police Station,
Coimbatore District.
(Crime No.281 of 2025).

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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