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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 06.01.2025

Pronounced on : 08.01.2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.22411, 23061, 23098 and 23117 of 2024

For CrI.O.P(MD)No.22411/2024:

1. S.Sankarasubbu

2. Dhanalakshmi

3. M.Venkateshwari ... Petitioners/ Accused Nos.9 to 11

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
O/o. the Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Madurai.
(Crime No.15/2024).

... Respondent/Complainant

For Petitioners : M/s.C.Jeganathan,

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.S.C.Herold Singh



For CrI.O.P(MD)No.23061 of 2024:

Urmila

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep.by, the Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.
(Crime No.15/2024).

... Respondent/Complainant

For Petitioner : Mr.V.K.Sathiamurthy

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.S.C.Herold Singh

For CrI.O.P(MD)No.23098 of 2024:

S.Srinivasan

... Petitioner/ Accused No.7

Vs

The State of Tamil Nadu,
Rep.by, the Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.
(Crime No.15/2024).

... Respondent/Complainant



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For Petitioner : Mr.NA.Manimaran

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.S.C.Herold Singh

For CrI.O.P(MD)No.23117 of 2024:

Shanthi

... Petitioner/ Accused No.8

Vs

The State of Tamil Nadu,
Rep.by, the Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.
(Crime No.15/2024).

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.S.C.Herold Singh

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

COMMON PRAYER :-

For Anticipatory Bail in Crime No.15 of 2024 on the file of the Respondent Police.



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COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 120(B), 467, 468, 471, 167 and 409 of IPC r/w Sections 13(2) and 13(1)(9) of PC Act 1988 as amended by the PC Amendment Act 2018 in Crime No.15 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that a credible information was obtained through reliable sources that certain officials of the Central Prison, Madurai have indulged in corrupt practices and misappropriation of Government funds by manipulating Prison records. In view of the same, prior permission was sought for and obtained from the Government as mandated under Section 17A of the Prevention of Corruption Act and a preliminary enquiry was conducted. After conducting the enquiry, the enquiry officer found that certain officials, working in Prison Department, Madurai have indulged in corrupt practices while purchasing raw materials for manufacturing huge quantity of stationery articles and manipulated Prison records relating to the supply of stationery articles to the Government Departments and thereby, the officials of the Prison Department in connivance with



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private individuals manipulated concerned Registers and gate pass to make it appear that raw materials have been purchased from the private individuals and supplied to the Central Prison for manufacturing stationery articles and whereas, it was found that the stationeries were thereafter not supplied to the Government Departments and it was swindled by the concerned officials of the Central Prison in connivance with the private individuals.

3.After the preliminary enquiry and based on the preliminary report, an FIR came to be registered in Crime No.15 of 2024 as against 11 named accused persons. The petitioners have been arrayed as A9 to A11, A1, A7 and A8.

4.Heard the learned Counsel appearing on either side.

5.Before this Court goes into the facts of this case, this Court must take into account the order passed by the Division Bench of this Court in W.P.No.38413 of 2024 alleging various irregularities in the Prisons. The enquiry itself commenced only pursuant to the directions issued by this Court. The writ petition is pending and the Division Bench is monitoring the further action taken by the officials.



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6. This Court also had the advantage of going through the case diary and the status report that was filed by the respondent police.

7. The enquiry was proposed to be done for the years 2016 to 2021 and whereas, the records were not available for the period from 2016 to 2019 and hence the enquiry confined itself for the period from 2019 - 2020 and 2020 -2021.

8. A1 in this case was working as the Superintendent of Central Prison for the period from 2016 to 2021 and according to A1, she was only an overall in-charge and the materials are purchased only based on the tender that is floated by the Director General of Police and there are various officers at the subordinate level, who take care of this process and she is not directly involved in this process. In other words, A1 has taken a stand that the work is supervised only by the Jailer and the Additional Superintendent of the Jail.

9. The respondent has taken a stand that the officials of the Prison Department Viz., A1 to A3 in connivance with the private individuals A4 to A11 have created and manipulated Registers and gate pass so as to make it appear that raw materials have been purchased from private individuals and supplied to the Central Prison, Madurai



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for manufacturing stationery articles. During the year 2019 to 2021, records have also been created to show that finished articles have been supplied to various Government Departments. On going through the relevant records it was found that stationeries worth of Rs.1.63 Crores were not supplied to seven Government Departments and whereas, there were entries to that effect. The tabular column that has been given in the status report deals with the stationeries supplied to the Government Departments during the year 2019 and 2021 and the stationeries, which were not supplied and which was not accounted for and the amount that is alleged to have been swindled by the accused persons. The tabular column showing the total amount of stationeries not supplied is extracted hereunder:

1.	RDO, Devakottai, Sivagangai District	Rs. 33,26,010/-
2.	Revenue Inspector, Samayanallur, Madurai District	Rs. 7,66,500/-
3.	Town Panchayat, Paravai, Madurai District	Rs. 45,56,545/-
4.	Taluk Office, Usilampatti, Madurai District	Rs. 31,55,371/-
5.	RDO Office, Usilampatti, Madurai District	Rs. 16,10,000/-
6.	Adi Dravidar Welfare Office, Sivagangai District.	Rs. 21,12,030/-
7.	State Tax Department, KK Nagar, Madurai.	Rs. 8,47,766/-
8.	Total	Rs.1,63,64,222/-



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10.The investigation officer took up the investigation only recently and has examined 12 witnesses and collected 52 documents. It is also seen that the investigation is at a crucial stage and some more time is required for the investigation officer to verify all the records with regard to purchase of raw materials by A4 to A11, manufacture of the stationery products in Central Prison, Madurai and the actual misappropriation of the Government funds caused by A1 to A3 in connivance with A4 to A11.

11.The case in hand is only a tip of the iceberg and the actual loss sustained by the Government will have to be still ascertained. This is more so since the period from 2016 - 2019 is yet to be investigated. The investigation officer must be given a free hand in this case since the case involves public interest. In view of the same, taking note of the fact that a Division Bench of this Court is monitoring the case on a large scale corruption in Prison Department and the allegations made and the seriousness of the offence involved and also the public interest involved, this Court is not inclined to grant anticipatory bail to the petitioners. The investigation officer must be given a free hand and decide as to whether the accused persons are going to be called for enquiry or whether any custodial interrogation is required for making



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substantial progress in the investigation. Granting anticipatory bail at this preliminary stage of investigation will certainly affect the course of investigation.

12.In the result, all these criminal original petitions stand dismissed.

Sd/-
08/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE INSPECTOR OF POLICE,
O/O. THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI-CORRUPTION, MADURAI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.NA.Manimaran, Advocate(SR-263[I] dated 08.01.2025
+1 CC to Mr.V.K.Sathiamurthy, Advocate (SR-264[I] dated 08.01.2025
+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-290[I] dated 09/01/2025)
+1 CC to M/s.C.JEGANATHAN, Advocate (SR-319[I] dated 09/01/2025)

COMMON ORDER IN
CRL OP(MD). Nos.22411, 23061, 23098
and 23117 of 2024
Date :08/01/2025

ES/SKN/SAR /03.02.2025/ 9P/7C

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