



WEB COPY

CRL OP No. 30033 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30033 of 2025

K. Suresh

..Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
VAC Police Station,
Pondicherry District.
Crime No.0008 of 2025.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No.0008 of 2025 pending on the file of the respondent police.

For Petitioner(s): Mr.C.R.Gokulvisvas

For Respondent(s): Mr.M.V.Ramachandra Murthy
Public Prosecutor Puducherry



ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences under Sections 109, 201, 34, 420, 468, 477 A of IPC and 13(1)(A) of Prevention of Corruption Act, 1988 in connection with Crime No.0008 of 2025 on the file of the respondent police.

2. The case of the prosecution is that the petitioner is one of the Contractors engaged in the construction work under the Swachh Bharath Mission (Gramin) Scheme. The petitioner in collusion with the Block Development Officer (A1) and other Contractors, constructed a lesser number of toilets than those allotted to him and thereby misappropriated Government funds to the tune of Rs.78.80 lakhs, out of which, the petitioner cheated an amount of Rs.31 lakhs. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has, in fact, constructed 971 toilets, which is more than the number allotted to him. It is further submitted that the petitioner has produced bills and other relevant documents to substantiate his contention. The learned counsel contended that without proper verification of the said documents and purely on political reasons, a false case has been registered against the petitioner. It is further submitted that A1 (Block Development Officer) was already arrested and subsequently released on bail. Therefore, the learned



counsel prayed for grant of anticipatory bail to the petitioner.

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4. The learned Public Prosecutor Puducherry appearing for the respondent police reiterated the prosecution's case and on instruction submitted that the petitioner who has been arrayed as A9, has misappropriated funds to the tune of Rs.30,70,500/-, which is yet to be recovered. It was further submitted that the petitioner, being a local fabricator in Karaikal, is likely to influence PLWF members, beneficiaries and other witnesses and will hamper the effective investigation. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

5. On a perusal of the records, it reveals that the petitioner has constructed 973 toilets, which is higher than the target level. Further A1 (Block Development Officer) and other Contractors have already been arrested and released on bail. Therefore, I am of the view that custodial interrogation of the petitioner is not necessary.

6. Accordingly, the interim anticipatory bail granted to the petitioner on 05.11.2025 is made absolute, subject to the following conditions:



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[a] the petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

JAI



To

1. The Inspector of Police,
VAC Police Station,
Pondicherry District.
2. The District Special Judge, Karaikal.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

JAI

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