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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30177 of 2026

CNR: {HCMA012505872026}

A.Anilkumar
S/o. K.Aravindakshan,
Plot No.1097, Ruby Resorts, Flat 6,
13 street,
Z Block,
Anna Nagar,
Chennai.

Case QR

..Petitioner(s)

Vs

State rep by, Inspector of Police,
Vigilance and Anti Corruption,
Chennai City V,
Alandur, Chennai 16
(Crime No. 03/AC/2026/CC-V)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with the Crime No. 03/AC/2026/CC-V pending investigation on the file of respondent police and grant Anticipatory Bail and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): S.Karthikeyan
For Respondent(s): Public Prosecutor (V And AC)

ORDER

1. This is a petition for anticipatory bail under Section 482 of the BNSS, in a case under the Prevention of Corruption Act, 1988. The petitioner is the first

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accused in Crime No.03/AC/2026/CC-V on the file of the Inspector of Police, Vigilance and Anti-Corruption, Chennai City-V, Alandur, Chennai, registered on 30.09.2026 for the offence under Section 7 of the Prevention of Corruption Act, 1988, as amended by Act 16 of 2018.

2. The case of the prosecution, briefly stated, is this. The de facto complainant built a first floor over his building at Anna Nagar and needed an additional three-phase electricity connection for it. In February 2026 he met the petitioner, then the Assistant Engineer (O&M), Anna Nagar West, of the Tamil Nadu Power Distribution Corporation Limited, who is said to have told him that the connection would cost Rs.1,00,000/- and to have asked him to apply online. He applied on 09.03.2026. The petitioner is said to have inspected the premises about a week later and to have told him that his foreman, the second accused, would contact him. About two weeks later the second accused is said to have demanded Rs.50,000/- for the petitioner. The connection was not given. On 21.09.2026 the complainant telephoned the petitioner, who is said to have told him that the amount must be paid to the second accused before the connection would be given. On 29.09.2026 the complainant went to the petitioner's office and did not find him there. The second accused then came to the complainant's premises, told him that he had spoken to the petitioner and that the demand had been reduced to Rs.40,000/-, and asked for Rs.20,000/- as the first instalment. The complaint was lodged that evening and the case was registered the next morning. In the trap laid on 30.09.2026, the second accused is said to have received Rs.20,000/- from the complainant, and the phenolphthalein test was positive. He was arrested and remanded, and has since been released on bail by the Special Court. The petitioner has not been arrested.

3. The respondent opposes the petition on the counter affidavit sworn on 27.10.2026. It is stated that the petitioner absconded on learning of the arrest of the second accused and that a special team has been formed to apprehend him;

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that the investigation is at an early stage, the witnesses are yet to be examined and the documents are yet to be collected; and that the petitioner, since he *"holds a higher position"*, may threaten the complainant and the witnesses, and may manipulate or destroy *"the official orders and records created by him at the office of the Assistant Engineer (O&M), TANGEDCO, Annanagar West, Chennai-40"* (paragraph 10). At the hearing, the learned Government Advocate (Criminal Side) produced the statement of the second accused recorded by the respondent on 30.09.2026. In it the second accused says that he retired as a foreman of that office in February 2026; that in March 2026 the petitioner asked him to inspect the complainant's premises and to obtain Rs.50,000/- from him, and he did so; that after the petitioner was transferred to Alamathy on 19.09.2026, the petitioner asked him to arrange the connection for a somewhat reduced sum; that he told the petitioner of the arrangement to receive Rs.20,000/- in advance, and the petitioner told him to receive it and speak to him; and that while the trap was in progress the petitioner called him on his mobile phone and told him to come out of the place and speak.

4. Learned counsel for the petitioner made these submissions.

[a] The petitioner is innocent and the case against him is false.

[b] He was relieved of his duties as Assistant Engineer, Anna Nagar West, on the afternoon of 19.09.2026, on promotion as Assistant Executive Engineer/Shift/Alamathy, and took charge of that post on 21.09.2026. The relieving order and the certificate of transfer of charge are in the typed set. The allegation of a demand on 21.09.2026 is therefore false, and the respondent registered the case against him as the Assistant Engineer, Anna Nagar West, without ascertaining that he no longer served there, which belies the discreet enquiry said to have preceded the registration.

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[c] He inspected the premises in March 2026 and put the application on hold because the building was under construction. The complaint is a device to secure the connection.

[d] In a trap case the material is gathered when the trap is laid, and nothing remains to be recovered from him.

[e] He has an unblemished record of service and is presently working as Assistant Executive Engineer. He will not abscond and will co-operate with the investigation.

5. I have considered the rival submissions and perused the material placed before me.

6. In deciding whether to grant anticipatory bail, and on what conditions, the Court is guided by the nature and gravity of the accusation, the role attributed to the applicant and the facts of the case. The offence alleged is punishable with imprisonment which may extend to seven years, and for such an offence a notice of appearance under Section 35(3) of the BNSS is the rule and arrest the exception, as held in **Satender Kumar Antil v. Central Bureau of Investigation, 2026 INSC 115**. Custodial interrogation is not shown to be required is not by itself a ground to grant anticipatory bail, as held in **Sumitha Pradeep v Arun Kumar C K, (2022) 17 SCC 391**. The question is whether the material calls for the custody of the petitioner for the investigation, or whether its needs can be met by conditions.

7. The accusation is a serious one. A public servant in charge of a section of a public utility is said to have kept a citizen's application for a connection pending for six months for a bribe, and to have collected it through a man who had retired from his office. Nothing in this order lessens that. The material which connects the petitioner with the demand consists of two things: the complainant's account of what the petitioner said to him in February 2026 and over the telephone

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on 21.09.2026, and the statement of the second accused. The money was received by the second accused, and nothing was recovered from the petitioner. The statement of the second accused is the statement of a co-accused made to a police officer in the course of the investigation. What it is worth against the petitioner is a matter for the trial, and I record no finding on it. It is nevertheless material which the respondent is entitled to pursue, and it carries the prosecution case beyond the complainant's account on two matters: the arrangement of 29.09.2026 and the telephone call said to have been made during the trap.

8. I take first the petitioner's transfer. The relieving order dated 19.09.2026 and the certificate of transfer of charge show that he left the Anna Nagar West section on the afternoon of 19.09.2026 and took charge at Alamathy on 21.09.2026. The transfer does not answer the accusation. The demand of 21.09.2026 is said to have been made over the telephone, and the second accused says that the petitioner pursued the matter after his transfer. Whether, after he left the section, the petitioner was in a position to do what the complainant wanted, or to cause it to be done, goes to the merits, and I leave it there. But the transfer does answer the apprehension in paragraph 10 of the counter affidavit. The petitioner left the office of the Assistant Engineer, Anna Nagar West, eleven days before the case was registered. The counter affidavit, sworn on 27.10.2026, does not mention the transfer. It describes him throughout as the Assistant Engineer of that office and apprehends that he may manipulate the records *"created by him"* there, though the statement of the second accused, recorded by the respondent on 30.09.2026, refers to the transfer in terms. The records of the complainant's application, namely the online application of 09.03.2026 and whatever the section did on it, are records of the Corporation, held by it and available to the respondent on requisition.

9. I turn to the need for custody. The counter affidavit does not say that the custodial interrogation of the petitioner is required, or what would be elicited

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from him in custody. The telephone call of 21.09.2026, the contacts between the petitioner and the second accused before the trap, and the call which the second accused says the petitioner made to him while the trap was in progress are, if they were made, matters of record with the service providers, which the respondent can obtain without taking the petitioner into custody. The respondent has not pointed to anything else that remains to be recovered from the petitioner or through him.

10. The plea of abscondence stands differently, and it is put higher by the statement of the second accused, which, if true, would mean that the petitioner was in touch with him while the trap was in progress. The counter affidavit says that the petitioner absconded and that a special team has been formed. It does not say that a notice was issued to him, or that a warrant or proclamation has been sought or issued. The petitioner says that he is presently working as Assistant Executive Engineer. Neither side has placed his attendance at Alamathy before me, and which of the two is true cannot be resolved on affidavits. He has approached this Court and is represented before it. A willingness to co-operate is not to be accepted on affidavit; it must be shown by attendance. The protection granted below is therefore made to depend on his appearance before the investigating officer on fixed days and on his keeping away from the persons through whom the case is to be proved, and the respondent is left free to seek its cancellation if he fails.

11. The complainant's application is still pending in the section the petitioner held until 19.09.2026, and the petitioner holds the post of Assistant Executive Engineer in the same distribution circle. The staff of that section, and the second accused, who had worked in it, are among the persons from whom the investigation will proceed. A specific condition against approaching them, and against dealing with the records of the section, meets that risk, and the learned Special Judge can enforce it.

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12. Having regard to the punishment prescribed for the offence, the role attributed to the petitioner, the character of the material, which lies in the records of the Corporation and in call records within the reach of the respondent, and the absence of any antecedent alleged against him, I am satisfied that the needs of the investigation can be met by conditions and that the petitioner is entitled to anticipatory bail.

13. In the result, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Special Court in the Cadre of District Judge for the Trial of Cases under Prevention of Corruption Act, Chennai,** on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only),** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) The petitioner shall appear before the officer investigating Crime No.03/AC/2026/CC-V, at his office at Alandur, Chennai, at 10.30 a.m. every day for two weeks

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from the day after his appearance before the learned Special Judge, and thereafter as and when required on written notice calling him for interrogation, and shall co-operate with the investigation.;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner was released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

(f) The petitioner shall not, by himself or through any other person, contact, approach or communicate with the de facto complainant, the second accused or any witness cited in the case, and shall not deal with, or seek access to, the records of the Operation and Maintenance Section, Anna Nagar West, relating to the de facto complainant's application.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. Special Court in the Cadre of District Judge for the Trial of Cases under Prevention of Corruption Act, Chennai.

2. The Inspector of Police,
Vigilance and Anti Corruption,
Chennai City V,
Alandur, Chennai 16
(Crime No. 03/AC/2026/CC-V)

3. The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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