



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Sixteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2409 of 2015

I.DEVADASS

..PETITIONER/ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION WING,
NAGEROCIL, KANYAKUMARI DISTRICT.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S. K.J. ASSOCIATES Advocate

For Respondent : Mr.P.KANNIDEVAN, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.01.2015 for the offence punishable under Section 7 of Prevention of Corruption Act in Crime No.1 of 2015 on the file of the respondent police, seeks bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3. The case of the prosecution is that the accused was caught by the respondent police red handed while taking a bribe of Rs.10,000/- from the defacto complainant and the trap was laid on 22.01.2015 and the accused was arrested. The trap proceedings were completed contemporaneously and the accused is in incarceration since then.

4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Nagercoil and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 05.30p.m. for a period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 petitioner in accordance with law as if the 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)AIR SCW 5560]**.



(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-
16/02/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
- 2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 3 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI-CORRUPTION WING,
NAGEROCIL, KANYAKUMARI DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL, KANYAKUMARI DISTRICT.

+1. CC to M/S. K.J. ASSOCIATES Advocate SR.No.7194

ORDER IN
CRL OP(MD) No.2409 of 2015
Date :16/02/2015

PBK 17/02/2015 ::2P-6C: