



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty First day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12366 of 2016

RAMAKRISHNAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
(IN CRIME NO.4/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.J.SULTHAN BASHA, Advocate for
M/S. AJMAL ASSOCIATES Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who is arrayed as sole accused was arrested and remanded to judicial custody on 22.06.2016 for the alleged offence punishable under Section 7 of Prevention of Corruption Act, in Crime No.4 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner demanded a sum of Rs.2,000/- as bribe for not arresting (one Alagar), the defacto complainant in a case registered in Crime No.98 of 2016 and on the basis of which on 22.06.2016, the trap was laid and thereby, the defacto complainant met the petitioner in front of Sathya Agencies, Aruppukottai, and again he demanded bribe money of Rs.2,000/- and while the petitioner receiving money from the defacto complainant caught red handed and on complaint, a case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner has not co-operated for enquiry with regard to the case in Crime No.98 of 2016 and hence, the petitioner went to arrest the defacto complainant and due to that motive, a false case has been registered against the petitioner and he is in judicial custody from 22.06.2016 and prays for enlarging the petitioner on bail.



4. The learned Government Advocate (Crl. side) submitted that the investigation of the case is pending and he further submitted that if the petitioner is enlarged on bail he will tamper the witness and hamper the investigation and prayed for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 22.06.2016, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute 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, Virudhunagar at Srivilliputhur.**
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am and 5.30 pm until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

21/07/2016

/ TRUE COPY /

(*) Amended as per order dated.26.07.2016

made in Crl.MP(MD)No.6037/2016 in

Crl.OP(MD)No.12366/2016

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

(*) To be substituted for the order already despatched

**1. (*) THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.**

<https://hcservices.ecourts.gov.in/hcservices/>

2. THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR



3. THE OFFICER-IN-CHARGE, CENTRAL PRISON, VIRUDHUNAGAR

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

5. THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

+1. CC to M/S AJMAL ASSOCIATES Advocate SR.No.39345

RL/8C/2P/SK/SKN/SARI/21/7/2016

ORDER IN
CRL OP(MD) No.12366 of 2016
Date :21/07/2016

PBK/SK-SKN/SAR-III 27/07/2016 ::3P-7C::