



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

Monday, the Eleventh day of July Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.11042 of 2016

NEELAVATHI

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
THANJAVUR.

CRIME NO. 8 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S C.SUSIKUMAR Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

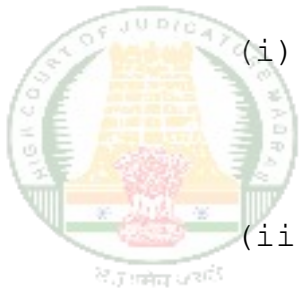
The petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 21.06.2016 for the alleged offences punishable under Sections 7, 13(1)(d) r/w 13(2) of Prevention of Corruption Act, 1988, in Crime No.8 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner was caught red handed while she was accepting bribe of Rs.1,500/- from the defacto complainant for recommending the petition of the defacto complainant for getting marriage assistance fund from the State Government. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent person and she has not committed any offence as alleged by the prosecution. The complaint has been lodged with an ulterior motive. On the verge of her retirement, due to personal motive, the petitioner has been trapped in the complaint. The petitioner is in judicial custody from 21.06.2016.

4.The learned Government Advocate(Crl.side) submitted that the petitioner was caught red handed, while she was accepting bribe of Rs.1,500/- from the defacto complainant for recommending the petition of the defacto complainant for getting marriage assistance fund from the State Government and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 21.06.2016, this Court is 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:



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- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Special Judge-cum-Chief Judicial Magistrate, Thanjavur at Kumbakonam
- (ii) the petitioner shall report before the respondent police daily at 10.30 a.m. 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/-

11/07/2016

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

TO

- 1 THE SPECIAL JUDGE CUM CHEIF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 2 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION, THANJAVUR.
- 3 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER IN CHARGE, SUB JAIL, THIRUVARUR.

+1. CC to M/S C.SUSIKUMAR Advocate SR.No.35424

ORDER

IN

CRL OP(MD) No.11042 of 2016

Date :11/07/2016

AM

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

CSL/NGM-MP/SAR-1/11.07.2016 : 2P/6C