



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

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11554 of 2016

S.KIRUBAKARAN RAJA SINGH ... PETITIONER/SOLE ACCUSED

Vs

STATE REB.BY

THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION, TUTICORIN,
TUTICORIN DISTRICT.

(CRIME NO.2/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.JEGADEESHA PANDIAN Advocate

For Respondent : M/S.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 23.06.2016 for the alleged offences punishable under Sections 7, 13(2) r/w 13(1) (d) of PC (Prevention of Corruption) Act, in Crime No.2 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 23.06.2016 the defacto complainant approached the petitioner to change the old meter in his building, for which, the petitioner demanded bribe of Rs.2,500/-. The defacto complainant gave a complaint before the respondent police. As per the instruction of the respondent police, the defacto complainant went to the petitioner's Office and handed over the money and at that time the respondent police arrested the petitioner.

3.The case of the petitioner is that the petitioner is working as a Foreman. The defacto complainant approached the petitioner to change the meter in his building. The petitioner informed the defacto complainant that he has to pay the prescribed fee for application for change of meter. On 23.06.2016 the defacto complainant came to the petitioner's office and gave the application and paid the amount. Immediately, the respondent police entered into office and without listening to the explanation of the petitioner, arrested the petitioner.



4.The learned Government Advocate (Crl.side) submitted that the petitioner demanded and received bribe for removing the old meter in the house of the defacto complainant and it was a trap case and the investigation is pending.

5.The allegation against the petitioner is that he demanded and accepted the bribe of Rs.2,500/-.

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5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 23.06.2016, 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:

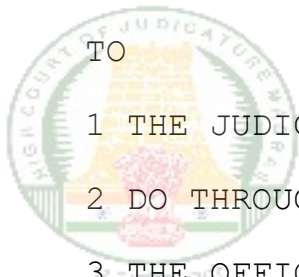
- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Thoothukudi.
- (ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.
- (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/-
14/07/2016

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



TO

1 THE JUDICIAL MAGISTRATE, THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI-CORRUPTION,
TUTICORIN, TUTICORIN DISTRICT.

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

+1. CC to M/S M.JEGADEESHA PANDIAN Advocate SR.No.36493

ORDER

IN

CRL OP(MD) No.11554 of 2016

Date :14/07/2016

SDR/NGM-MP/SAR III/14.07.2016/3P/7C