



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.12325 of 2016

RAJENDRAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY ITS
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE & ANTI CORRUPTION WING,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
(CRIME NO. 5 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S A.UTHAYAKUMAR , Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

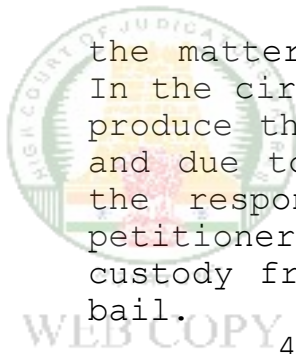
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who is arrayed as sole accused was arrested and remanded to judicial custody on 07.07.2016 for the alleged offence punishable under Section 7 of Prevention of Corruption Act, 1988 in Crime No.5 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner while working as Sub Inspector of Police attached to Aruppukkottai Town Police Station, demanded Rs.7,000/- for releasing of vehicle of the defacto complainant and trap was laid 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 defacto complainant approached the Inspector of Police, Aruppukkottai Town Police Station to release the vehicle at that time the Inspector of Police asked the defacto complainant to produce relevant documents for releasing his vehicle and instructed the petitioner to look into



the matter and release the vehicle after following the procedure. In the circumstances the defacto complainant asked the petitioner to produce the relevant documents, but, he failed to produce the same and due to that wordy quarrel arose and thereafter, he approached the respondent police and given a false complaint against the petitioner. He further contended that the petitioner is in judicial custody from 07.07.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the petitioner has suspended from the service and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner has suspended from the service and that he is in judicial custody from 07.07.2016, 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, Srivilliputtur, Virudhunagar District.
- (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]**.

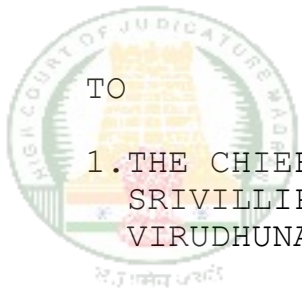
6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

21/07/2016

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



TO

1. THE CHIEF JUDICIAL MAGISTRATE
SRIVILLIPUTHUR
VIRUDHUNAGAR DISTRICT

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

3. THE OFFICER-IN-CHARGE
DISTRICT PRISON
VIRUDHUNAGAR

4. THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE & ANTI CORRUPTION WING,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT

+1. CC to M/S A.UTHAYAKUMAR Advocate SR.No.38390

RL/6C/2P/SK/SKN/SARI/21/7/2016

ORDER
IN
CRL OP (MD) No.12325 of 2016
Date :21/07/2016