

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.14535 of 2018

RANI,

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY, ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTIONS,
NAGAPATTINAM DISTRICT.
CR.NO.02 OF 2018.

For Petitioner : M/S.V.SATHISH Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 21.04.2018 for the alleged offences punishable under Sections 7, 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 in Crime No.02 of 2018 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, who was working as an Inspector of Police, All Women Police Station, Mayiladudhurai Police Station, Nagapattinam District, had demanded bribe of Rs.30,000/- and also demanded a Rice Cooker to refer the case registered against the brother of the *de facto* complainant and that based on the complaint a trap was laid and the petitioner was caught red handed while accepting the bribe amount and the phenolphthalein test conducted on her also proved positive.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. She would submit that the petitioner was arrested on 21.04.2018 and that the major part of the investigation is also over. Therefore, she prays for grant of bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the petitioner was working as an Inspector of Police, All Women Police Station, Mayiladudhurai Police Station, Nagapattinam District and that she had demanded an amount of Rs.30,000/- and Rice Cooker for referring the case registered against the brother of the *de facto*

complainant. He would further submit that a Trap was laid by the respondent and the phenolphthalein test has proved positive and that the house search was also conducted and the Rice cooker was also recovered from the house of the petitioner. He would submit that after conducting investigation, the petitioner has also been placed on suspension.

6. Taking into consideration the facts of the case and taking note of the fact that the petitioner has been in custody since 21.04.2018, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on her 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, Nagapattinam, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30.a.m. until further orders.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness 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 petitioners 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] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
07/06/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTIONS,
NAGAPATTINAM DISTRICT.

+1 CC to M/S.V.SATHISH Advocate on payment of necessary charges-
Sr.10132

CRL OP.14535/2018

Date :07/06/2018

ths : 07.06.2018