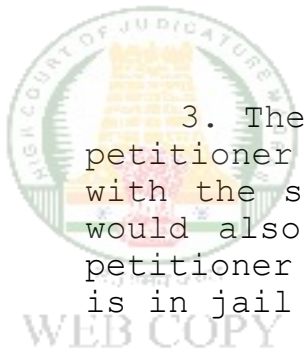




3. The learned counsel for the petitioner would submit that the petitioner is only a superior officer and he is no way connected with the said crime and the money was recovered from A2 only. He would also submit only based on the confession given by A2, this petitioner was implicated. He would also submit that the petitioner is in jail for nearly 20 days, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that only on the instruction of this petitioner A2 said to have received the bribe money and trap was conducted and he was got red handed and the said amount was recovered from A2, Phenolphthalein test also proved positive against A2.

5. It is a case under Prevention of corruption act. A2 said to have demanded bribe from the defacto complainant and the amount was recovered from A2. The petitioner is in jail for nearly 20 days and the investigation is almost completed. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Srivilliputhur, Virudhunagar District

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police once in a week on every Monday at 10.30 am., until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

01/10/2020

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
VIRUDHUNAGAR DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10229 of 2020
Date :01/10/2020

aav
JM/PN/SAR II/01.10.2020/3P/5C