



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

Date : 24/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.12504 of 2020

T.Veluchamy ... Petitioner/Sole Accused

Vs

State Rep. by
The Deputy Superintendent Of Police,
Vigilance and Anti-Corruption,
Sivagangai,
Crime No.3/2020.

... Respondent/Complainant

For Petitioner : M/s.S.Muniyandi,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

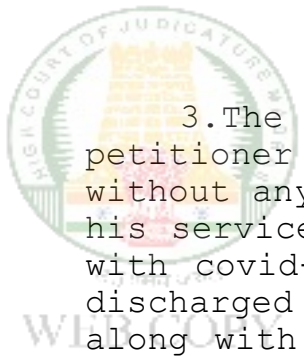
PRAYER :-

For Bail in Crime NO.3 of 2020 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 16.10.2020 for the offences punishable under Section 7(a) of Prevention of Corruption Act, 1988 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the defacto complainant constructed a house and applied for assessing his house for the purpose of tax. When the defacto complainant submitted application before the revenue department where the petitioner/accused was working as Revenue Inspector, he demanded Rs.12600/- for the assessing the house to the tax. Thereafter the defacto complainant lodged a complaint and a trap was conducted and the petitioner/accused was caught red handed and a sum of Rs.2000/- was recovered from the petitioner.



3.The learned counsel for the petitioner would submit that the petitioner was working as a Revenue Inspector for the past 19 years without any remarks and he never involved in any said offence during his service. He further submitted that the petitioner was infected with covid- 19 and he was admitted in the hospital and now he was discharged from the hospital. He was advised to take healthy foods along with prescribed medicine by the doctor. Hence he sought for bail.

4. The learned Government Advocate(Crl.Side) would submit that the petitioner demanded bribe from the defacto complainant for the purpose of assessing the house for tax receipts. On the complaint received from the defacto complainant trap was conducted and the petitioner being the sole accused was caught red handed and a sum of Rs.2000/- was recovered from the petitioner

5. It is seen that the petitioner is a sole accused and he being the Revenue Inspector demanded bribe from the defacto complainant for the purpose of assessing the house for tax receipts. On the complaint given by the defacto complainant the petitioner was caught red handed and remanded to judicial custody. The petitioner was infected with covid-19 and he was discharged from the hospital . Further the petitioner was arrested on 16.10.2020.

6. 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.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of the Vigilance and anti corruption Court, Sivagangai

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 daily at 10.30 a.m and 5.30 pm., 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. In K. S. Suresh 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/-
24/11/2020

WEB COPY

/ TRUE COPY /

/ /2020

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 JUDGE,
VIGILANCE AND ANTI CORRUPTION COURT,
SIVAGANGAI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
SIVAGANGAI.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12504 of 2020
Date :24/11/2020

AAV
JM/PN/SAR III/24.11.2020/3P/5C