



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

Date : 01/12/2020

PRESENT

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

CRL OP(MD). No.13363 of 2020

B.Karthikeyan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Vigilance and Anti Corruption Wing,
Virudhunagar.

(Crime No.5 of 2020)

... Respondent/Complainant

For Petitioner : Mr.B.Jameel Arasu,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

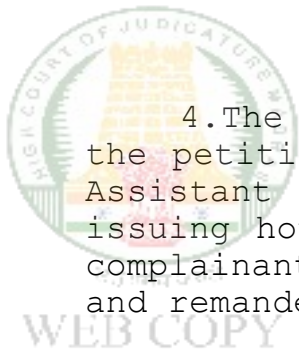
PRAYER :- For Bail in Crime No.5 of 2020 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to
Judicial Custody on 03.11.2020 for the offences punishable under
Sections 7 of Prevention of Corruption Amendment Act, 2018.

2. The case of the prosecution is that the defacto complainant
approached the petitioner herein who was working as a Revenue
Assistant in the Sivakasi Municipality for issuance of house tax,
for which the petitioner herein demanded bribe of Rs.20,000/-.
Therefore on the complaint lodged by the defacto complainant trap
was set up and the petitioner was caught red handed and remanded to
judicial custody.

3. The learned counsel for the petitioner would submit that the
petitioner was only working as Revenue Assistant and he had no
power to issue certificate and the authority is only the Revenue
Inspector and due to previous enmity a false case has been
registered against him. He would further submit that the petitioner
was arrested and remanded to judicial custody on 03.11.2020, hence he



4.The learned Government Advocate(Crl.Side) would submit that the petitioner is the sole accused and he was working as a Revenue Assistant in the Sivakasi Municipality. He demanded bribe for issuing house tax receipt. on the complaint lodged by the defacto complainant trap was set up and the petitioner was caught red handed and remanded to judicial custody.

5. It is seen that the petitioner is a sole accused and while he was working as a Revenue Assistant in the Sivakasi Municipality he demanded bribe for issuing house tax receipt. On the complaint lodged by the defacto complainant trap was set up and the petitioner was caught red handed and remanded to judicial custody.

6. Taking into consideration the 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 by imposing conditions.

7.Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions

[a] the petitioner is directed to contribute Rs.25,000/- to the Annai Sathya Orphanage Home, Soolakarai, Virudhunagar.

[b] On such contribution being made,the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two blood related sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Virudhunagar at Srivilliputhur.

[c] 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;

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

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

[f]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g]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].



[h]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/12/2020

/ TRUE COPY /

WEB 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 CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR.
2. THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING, VIRUDHUNAGAR.
3. THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
THE ANNAI SATHYA ORPHANAGE HOME,
SOOLAKARAI, VIRUDHUNAGAR.

ORDER
IN
CRL OP(MD) No.13363 of 2020
Date :01/12/2020

MS/PN/SAR-2/01.12.2020/3P.6C