



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

Date : 16/12/2020

PRESENT

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

CRL OP(MD). No.13713 of 2020

Sinkaravelan

... Petitioner/Sole Accused

Vs

State Rep.by
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Ramanathapuram District.
in Crime No.05 of 2020

... Respondent/Complainant

For Petitioner : Mr.M.Subash Babu, 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.05 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 04.11.2020 for the offences punishable under Section 7(a) of Prevention of Corruption (Amendment) Act, 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the defacto complainant is running a petty shop. He submitted an online application seeking for license to sell fire crackers temporarily. The concerned Thasildar inspected the spot and transferred the online application to the Sub Collector. When, the Sub Collector inspected the spot, the petitioner, who is working as driver for the said Sub Collector informed the defacto complainant to come to the office of the Sub Collector on the next day. When the defacto complainant went there, he demanded bribe from him. Hence, a case has been registered.

3.The learned counsel for the petitioner would submit that it is seen from 161(3) of statement that on the inducement of higher officials, the petitioner received the bribe amount and the



4. The learned Government Advocate(Crl.Side) would submit that since the petitioner is working as the driver of the Sub Collector, he is demanding bribe from many members and it is very serious offence.

5. 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:

6. 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 learned Chief Judicial Magistrate/Special Judge, Ramanathapuram

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.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/-
16/12/2020

/ 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, remains the responsibility of the advocate/litigant concerned.



TO

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

ORDER

IN

CRL OP(MD) No.13713 of 2020

Date :16/12/2020

MS/VR/SAR-4/16.12.2020/3P.5C