

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Sixth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.7768 of 2021

R.MALARVIZHI

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
NAGAPATTINAM.

CRIME NO.04/2021

For Petitioner : M/S.G.BALA AND DAISY Advocate

For Respondent : M/S.T.P.SAVITHA, Government Advocate (crl.side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded into judicial custody on 23.02.2021, for the offence punishable under Sections 7 of the Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018, in Crime No.04 of 2021, seeking bail, as second time.

2. The case of the prosecution is that the petitioner has demanded a sum of Rs.20,000/- as bribe amount from the defacto complainant for issuing vacant land patta transfer order and based on his complaint, trap was conducted and the petitioner was caught re-handed.

3. The learned counsel for the petitioner would submit that the petitioner was arrested on 23.02.2021 and she was in judicial custody for more than 62 days and the charge sheet was not yet filed against her, and therefore, she is entitled for bail.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent-Police and perused the materials placed on record.

5. This Court, dismissed the earlier bail petition in Crl.O.P.No.5207 of 2021, filed by the petitioner on the ground that investigation is at the preliminary stage. Today, also it is represented by the learned Government (Criminal Side) that the charge sheet is yet to be filed.

6. Considering the facts and circumstances of the case and also considering the serious nature of the offence, and charge sheet not yet filed, this Court is not inclined to grant bail to the petitioner. However, it is open to the petitioner to approach Special Court under Section 167 (2) of Cr.P.C. seeking mandatory bail.

7. With the above liberty, this Criminal Original Petition is dismissed.

-sd/-
26/04/2021

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 OFFICER INCHARGE
SUB-JAIL, THIRUVARUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE, सत्यमेव जयते
VIGILANCE AND ANTI CORRUPTION,
NAGAPATTINAM.

+1 CC to M/S.G.BALA AND DAISY Advocate on payment of necessary
charges SR.No.5356

CRL OP.7768/2021

Date :26/04/2021

cs 30/04/2021