

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.8135 of 2021

G.Loganayagi

... Petitioner

Vs.

State rep by

Central Bureau of Investigation,
ACB, Chennai.

.... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Cr.No.RC 0322021A0005 of 2021 on the file of the CBI, ACB, CHennai.

For Petitioner : Mr.B.Natarajan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor

ORDER

The petitioner who was arrested on 25.03.2021 and remanded to judicial custody for the offences under Sections 120-B IPC read with Section 7, 8 and 12 of Prevention of Corruption Act in Cr.No.RC 0322021A0005 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant has lodged a complaint stating that the petitioner demanded bribe of Rs.4,30,000/- from the defacto complainant.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and she has not committed any offence as alleged by the prosecution and she is in the judicial custody from 25.03.2021 and the co-accused has already been released on bail. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed the grant of bail by stating that the investigation is in crucial stage and if she will be released on bail, she may tamper the witnesses.

5. Taking into consideration the fact that the investigation is in crucial stage and also considering the period of incarceration suffered by the petitioner, 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 sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned II Additional District Judge (CBI Cases), Coimbatore within a period of fifteen days from the date of receipt of a copy of this order and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, daily morning at 10.30 a.m. and evening 5.30 p.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

29/04/2021

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 II ADDITIONAL DISTRICT
JUDGE (CBI CASES) COIMBATORE

2 THE CENTRAL BUREAU OF INVESTIGATION,
ACB CHENNAI

3 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

+2 CC to M/S. B.NATARAJAN Advocate on payment of necessary
charges Sr.5539

CRL OP.8135/2021

Date :29/04/2021

RVR 30/04/2021



WEB COPY