



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.12258 of 2021

Senthilkumar

... Petitioner

Vs.

State represented by  
The Inspector of Police,  
Vigilance and Anti-Corruption,  
Salem, Salem District.  
Crime No.9/Ac/of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C.,  
praying to enlarge the petitioner/accused on bail in connection with  
the Crime No.9/AC/of 2021 pending on the file of the respondent  
police.

For Petitioner : Mr.C.D. Sugumar

For Respondent : Mr.A.Gopinath  
Government Advocate( Crl. side)

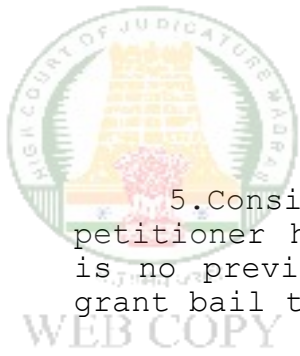
ORDER

The petitioner who are arrested on 23.06.2021 for the offence  
under Section 7(a) of Prevention of Corruption Act 2018 in Crime  
No.9/AC of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner demanded  
Rs.35,000/- as illegal gratification for releasing the tile document  
submitted by the defacto complainant for registration. Hence, the  
complaint.

3. The learned counsel appearing for the petitioner submitted  
that a false case has been foisted against the petitioner and he is  
in custody from 23.06.2021. Hence, he learned counsel prays to grant  
bail to the petitioner.

4.The learned Government Advocate submitted that that there is no  
previous case pending against the petitioner. However, he vehemently  
opposed to grant bail to the petitioner.



5. Considering the facts and circumstances of the case, the petitioner having been under incarceration from 23.06.2021 and there is no previous case pending against him, this Court is inclined to grant bail to the petitioner with 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 *Special Court for trial for of cases under the Prevention of Corruption Act, Salem* 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 is directed to appear before the respondent police daily morning at 10.30 am 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-  
26/07/2021

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.



1 THE SPECIAL COURT FOR TRAIL OF CASES  
UNDER THE PREVENTION OF CORRUPTION ACT,  
SALEM.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE  
VIGILANCE AND ANTI-CORRUPTION,  
SALEM,  
SALEM DISTRICT.

4 THE SUPERINTENDENT  
CENTRAL PRISON, SALEM.

CC to M/S C.D.SUGUMAR Advocate on payment of necessary charges

CRL OP.12258/2021

Date :26/07/2021

CSK 27/07/2021