



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24655 of 2021

WEB COPY

A.Prema @ Prema Margret

...Petitioner

Vs.

State rep by its
The Inspector of Police
Vigilance and Anti-Corruption
Kancheepuram, Kancheepuram District
(Crime No.13/AC/2021 KPM)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.13/AC/2021/KPM on the file of the respondent police.

For Petitioner : Mr.D.Dayalan

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

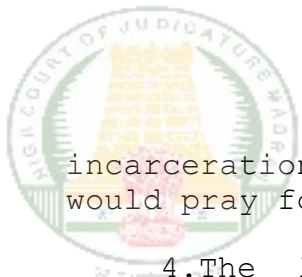
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 29.11.2021 for the offence under Section 7 of Prevention of Corruption Act as Amendment Act 2018, in Crime No.13/AC/2021/KPM, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is working as a Junior Assistant/Typist at the District Social Welfare Office, Kancheepuram. The petitioner had demanded a sum of Rs.50,000/- as bribe from the defacto complainant for preparing the investigation report and getting signature from the District Social Welfare Officer, Kancheepuram. Hence, based on the complaint given by the defacto complainant, a trap was laid and the petitioner was caught red handed while she was receiving bribe of Rs.25,000/- as advance. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has been suspended from service and suffering



incarceration for more than 20 days from 29.11.2021 and hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise objection stating that the petitioner who is working as a Junior Assistant/Typist at the District Social Welfare Office, Kancheepuram, was trapped while she was receiving bribe but admits that the investigation is almost completed.

5. It is seen that the petitioner being a Government servant has been suspended from service and that the investigation is almost completed. Hence, this Court is of the opinion that if the petitioner is released on bail there would not be any possibility of the petitioner getting abscond and further, considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain 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, each for a like sum to the satisfaction of the learned Special Judge/Chief Judicial Magistrate, Kancheepuram at Chengalpattu, and on further conditions 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 on every Wednesday at 10.30 a.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/-

21/12/2021

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 SPECIAL JUDGE/CHIEF
JUDICIAL MAGISTRATE, KANCHEEPURAM AT CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
KANCHEEPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL WOMEN PRISON,
PUZHAL, CHENNAI

CC to M/S D.DAYALAN Advocate on payment of necessary charges
Sr.15227

CRL OP.24655/2021

Date :21/12/2021

RVR 21/12/2021