



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

Date : 30/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.5932 of 2021

V.Sankarapandian

... Petitioner/Accused

Vs

The Inspector of Police,
Vigilance and Anti Corruption Wing
Tirunelveli,
(Crime No. 6/2021).

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy.B.,
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. 6/2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 31.03.2021 for the offences punishable under Section 7 (A) of the Prevention of Corruption Act, 1988 in Crime No.6 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was former employee of the Municipal Corporation, Tirunelveli. When the defacto complainant applied for approval of the house building, the petitioner said to have demanded a sum of Rs.1250/- as bribe for moving the file. Therefore, a trap was laid and the petitioner was arrested.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.



4. The learned Government Advocate(Crl.Side) appearing for the respondent submitted that investigation is penidng.

5.Considering the fact that the petitioner is a retired employee of the Municipal Corporation, Tirunelveli, material witnesses are official witnesses, and he is in custody from 31.03.2021, this Court is inclined to grant bail to the petitioner.

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 Court for Trial of cases under Prevention of Corruption Act Cases, Tirunelveli 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 at 10.30 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/04/2021

/ TRUE COPY /

/ /2021
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, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

1 THE SPECIAL COURT FOR TRIAL OF CASES UNDER PREVENTION OF
CORRUPTION ACT CASES, TIRUNELVELI

2 THE OFFICER IN CHARGE, SUB JAIL, SRIVAİKUNDAM,
THOOTHUKUDI.

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING, TIRUNELVELI,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5932 of 2021

Date :30/04/2021

AM/VR/SAR-4/30/04/2021/3P/5C