



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

Date : 19/05/2021

PRESENT

WEB COPY

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.6772 of 2021

Sulthan Salakudeen @ Sulthan ... Petitioner/sole Accused

Vs

The State Rep. by
The Inspector of Police,
Vigilance & Anti-Corruption,
Thoothukudi,
Thoothukudi District.
Crime No.03/2021.

... Respondent/Complainant

For Petitioner : Mr.A.Thiruvadi Kumar, Advocate
For Respondent : Mr.M.Muthu Manickam,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 03 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 26.04.2021 for the offences punishable under Section 7(a) of the Prevention of Corruption (Amendment) Act, 2018 (Act 16/18) in Crime No.03 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner being the Zonal Deputy Thasildar, is said to have demanded an illegal gratification of Rs.2000/-, to add the names of the legal heirs in the Patta.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he is in judicial custody from 26.04.2021, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that there is no previous case pending against the petitioner.



5. Taking into consideration the facts and circumstances of the case, the pandemic situation prevailing as of now and also taking into consideration the period of incarceration and also taking note of the fact that there is no previous case pending against the petitioner and the fact that the investigation might have been over by this time, 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 Chief Judicial Magistrate, Thoothukudi, Thoothukudi District 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/-
19/05/2021

/ 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.



TO

1. THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
3. THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.6772 of 2021
Date :19/05/2021

MR/NS
TE/MNR/SAR-I : 20/05/2021 : 3P/5C