



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7435 of 2022

Babuji @ Babu

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
V & AC/CC-II Alandur, Chennai.
Crime No.2/AC/2022 CC II.

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.2/AC/2022 CC II pending investigation on the file of Respondent police.

For Petitioner : Mr.K.M.Balaji

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested and remanded to Judicial Custody on 17.02.2022 for the offences punishable under sections 7 and 12 of Prevention of Corruption (Amendment) Act in Crime No.2/AC/2022 CC II, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested and remanded to judicial custody on 17.02.2022, the case connected with receipt of bribe amount of Rs.18,000/- by way of G Pay in the name of A1's wife. The petitioner is working as VAO and A1 is his assistant. Earlier, the petitioner came for bail before this Court after considering the facts and the indigenous method of demand and receipt of bribe to discharge the duty, by dismissing the petition on the ground that investigation requires further probe with other applicants for whom the petitioner has issued reports in recent past where there was no demand and receipt of undue advantage.

3. The learned Additional Public Prosecutor states that, investigation is almost completed and case diary (CD) details also been collected and final report is likely to be filed in a couple of days.



4. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One lakh only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court/Special Judge, Chengalpattu;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m until further order;

(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 Judicial 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/-

31/03/2022

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 JUDICIAL COURT/SPECIAL
JUDGE, CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)



3 THE INSPECTOR OF POLICE,
V AND AC/CC-II ALANDUR,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
DISTRICT JAIL, CHENGALPATTU

CC to M/S K.M.BALAJI Advocate on payment of necessary charges
Sr.4898

CRL OP.7435/2022

Date :31/03/2022

RVR 31/03/2022