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CrI.O.P.No.16403 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.16403 of 2022

Sivagnanavelu

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Vigilance and Anti Corruption,
Villupuram.
Crime No.6 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in
Connection with the Crime No.06 of 2022 on the file of the Inspector of
Police, Vigilance and Anti Corruption, Villupuram.

For Petitioner : Mr.G.Mohammed Asseef

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.06.2022 for the offences punishable under Section 7 of Prevention of Corruption Act, 1988 amended as 2018 in crime No.6 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner was working as a record clerk in Tindivanam Taluk Officer. It is alleged that the defacto complainant approached the petitioner for name transfer to the allotment in favour of the defacto complainant's mother name, for which, the petitioner demanded Rs.5,000/- as bribe from the defacto complainant. Hence, the case.

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. That apart, the petitioner has been suffering incarceration from 23.06.2022. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor would submit that the petitioner demanded a sum of Rs.5,000/- from the defacto complainant as a bribe. However, he opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration undergone by the petitioner from the date of arrest ie., from 23.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing separate bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood related sureties**, each for a like sum to the satisfaction of the learned **Chief Judicial Magistrate, Full Additional Charge of The Special Court of the Vigilance & Anti Corruption cases, Villupuram** and on further conditions that:



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[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 twice daily at 10.30 a.m., and 04.30.p.m., for a period of four weeks and thereafter as and when required for interrogation;

[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.

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To

1. Chief Judicial Magistrate,
Full Additional Charge of
The Special Court of the Vigilance &
Anti Corruption cases, Villupuram
2. The Inspector of Police,
Vigilance and Anti Corruption,
Villupuram.
3. District Jail,
Villupuram
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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