



WEB COPY



Crl.O.P.No.17501 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2022

CORAM

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

Crl.O.P.No.17501 of 2022

Uthayakumar

...Petitioner

Vs.

State rep. by
The Inspector of Police,
The Vigilance & Anti Corruption
Special Cell, Kancheepuram.
Crime No.03/AC/2022/KM

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.03/AC/2022/KM on the file of the Inspector of Police, The Vigilance & Anti Corruption Special Cell, Kancheepuram, Kancheepuram District.

For Petitioner : Mr.P.Chandrasekar

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



Crl.O.P.No.17501 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2022 for the offences punishable under Sections 7 of **Prevention of Corruption Act, 1988** in Crime No. 03/AC/2022/KM on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the petitioner is Village Administrative Officer. It is alleged that the petitioner demanded illegal gratification of Rs.8,000/- from the defacto complainant for arranging to get patta name transfer in the name of the complainant in respect of agriculture land situated in Mahadevimangalam village S.No.55/3 and S.No.8/6A measuring an extent of 0.59 cents pertaining to patta No.819. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submit that the petitioner is in Judicial Custody from 30.06.2022. onwards. Hence, he has prayed for grant of bail to the petitioner.



Crl.O.P.No.17501 of 2022

WEB COPY

4.The learned Additional Public Prosecutor appearing for the respondent raised objection stating that the petitioner demanded Rs.8,000/- from the defacto complainant for issuing patta. He further submitted that already this Court dismissed the petitioner's bail petition in Crl.O.P.No.16038 of 2022 dated 11.07.2022. However, he opposed for granting bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 30.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 at Chengalpattu** and on further conditions that:



Crl.O.P.No.17501 of 2022

[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 six 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.

26.07.2022

sma



Crl.O.P.No.17501 of 2022

WEB COPY

To

1. Chief Judicial Magistrate,
Chengalpattu.
2. The Inspector of Police,
The Vigilance & Anti Corruption
Special Cell, Kancheepuram.
3. Sub Jail,
Chengalpattu.
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.O.P.No.17501 of 2022

G.K.ILANTHIRAIYAN, J.

sma

Crl.O.P.No.17501 of 2022

26.07.2022