



Crl.O.P.No. 20844 of 2022

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WEB CO **G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 7(a) and 12 read with 7(a) of the Prevention of Corruption Act 1988 as amended in 2018 in Crime No. 15/AC/2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the respondent police on 27.09.2021 conducted a trap raid in the office of the Sub Registrar Office, Sooramangalam and they did not find any contravention as expected by them. At this juncture, A2 was sitting on the visitors' gallery in the premises of the Sub Registrar's Office, Sooramangalam by keeping a sum of Rs.4,84,000/- in his bag. It is the further prosecution case that the above said sum is said to have been taken as a bribe for the Sub Registrar, Sooramangalam for dereliction of discharging her duty in his favour. The respondent police had registered the above said case against the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he did not no way connected with the alleged offence. He would further submit that A2 was already



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granted anticipatory bail in CrI.O.P.No.1419 of 2022. Hence, he prays
for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally four accused involved in this case, in which the petitioner is arrayed as A3. The petitioner is a friend of A1.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.1,00,000/- (Rupees One Lakh Only) by way of demand draft to the credit of the Ramakrishna Mutt, Mylapore for Rehabilitation of Leprosy People**, within a period of fifteen (15) days from the date of receipt of a copy of this order and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Special Court for Trial of Cases under Prevention of Corruption Act, on condition that the petitioner shall execute 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 respondent



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police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 deposit a sum of **Rs.1,00,000/- (Rupees One Lakh Only)** by way of demand draft to the credit of the **Ramakrishna Mutt, Mylapore for Rehabilitation of Leprosy People**, within a period of fifteen (15) days from the date of receipt of a copy of this order

[c] the petitioner shall report before the respondent police every Tuesday at 10.30 a.m for a period of four weeks and thereafter as and when required for an interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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]**.



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

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