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CrI.OP.No.24301 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2022

CORAM

THE HON'BLE MR. JUSTICE **SATHI KUMAR SUKUMARA KURUP**

CrI.OP.No.24301 of 2022

K.Devadoss

...Petitioner

Vs.

State represented by
The Inspector of Police,
Vigilance and Anti-Corruption,
Thiruvavarur.
(Crime No.06 of 2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail in Crime No.06 of 2022 on the file
of the respondent.

For Petitioner :Mr.S.Doraisamy
for Mr. V.Elangovan

For Respondent :Mr.S.Raja Kumar
Additional Public Prosecutor



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ORDER

The Petitioner, who was arrested and remanded to judicial custody on 21.09.2022 for the offences punishable under **Section 7 of Prevention of Corruption Act, 1988 as amended 2018** in Crime No.06 of 2022 on the file of the respondent police, seek bail.

2. The Case of the Prosecution is that, the Petitioner was working as a Village Administrative Officer and he had received a sum of Rs.8,000/- from the Defacto Complainant as bribe through A2 for transferring Patta in the name of his mother. Hence, the case.

3. The Learned Counsel for the Petitioner submitted that the Petitioner is an innocent person and that he did not commit any offence as alleged by the prosecution. Hence, he prays for grant of bail to the Petitioner.



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4. The learned Additional Public Prosecutor vehemently opposed for granting bail to the petitioner stating that the Petitioner had received a sum of Rs.8,000/- from the De-facto Complainant as a bribe for Patta Transfer.

5. Considering the submissions made by the Learned Counsel for the Petitioner and the objections made by the Learned Additional Public Prosecutor, this Court is inclined to grant bail to the Petitioner with the following conditions.

6. Accordingly, the Petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the **Learned Chief Judicial Magistrate, Thiruvarur** Further, one of the sureties shall be a blood relative.

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Chief Judicial Magistrate, Thiruvarur shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.



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(b) the Petitioner shall report before the Respondent Police daily at 10.00 a.m., until further orders.

(c) the Petitioner shall not influence, threaten or coerce the witness either during investigation or trial;

(d) the Petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

06.10.2022

Sma/Shk



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To

1. Chief Judicial Magistrate,
Thiruvarur.
2. The Inspector of Police,
Vigilance and Anti-Corruption,
Thiruvarur.
3. District Prison,
Nagapattinam.
4. The Public Prosecutor,
High Court of Madras



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SATHI KUMAR SUKUMARA KURUP., J.

Sma/Shk

Crl.O.P.No.24301 of 2022

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