

Crl.O.P.No.31035 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Section 7 of the Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018 in Cr.No.1/AC/2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that he approached one Chelladurai, who is the Bill Collector, for pipeline connection for his house. However, the said Chelladurai demanded bribe from the defacto complainant. The allegation against the petitioner herein is working as a private contractor who had facilitated A1/Bill Collector and received bribe from the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that he is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



4.Mr.A.Gokula Krishnan, learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner herein is working as a private contractor who had facilitated A1/Bill Collector and received bribe from the defacto complainant. He would submit that the investigation almost completed. However, he vehemently opposed for grant of anticipatory bail.

5. Considering the facts and circumstances of the case and that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Chief Judicial Magistrate, Erode** 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 police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



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(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 daily at 10.30 a.m. for a period of two months and thereafter, appear before the trial Court on all hearing dates.

(c)the petitioner shall not tamper with evidence or 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 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 anticipatory 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]***; and;

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

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4

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