



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.02.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.2699 of 2022

T.Kanchana

... Petitioner/Accused No.1

Vs

State through
The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Madurai.
(Crime No.18 of 2021)

... Respondent/Complainant

For Petitioner : Mr.D.Selvam, Advocate
for Mr.P.R.Prithviraj, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Section 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.18 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.1, who was arrested and remanded to judicial custody on 31.12.2021 for the offence punishable under Section 7 of Prevention of Corruption Act, 1988 as amended by PC (Amendment) Act, 2018, in Crime No.18 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner demanded bribe of Rs.4,000/- from the defacto complainant with respect to transfer of patta in his favour. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and she has not committed any offence as alleged by the prosecution, that the petitioner was suspended and that she will not tamper the evidence. He would further submit that the petitioner is in judicial custody from 31.12.2021.



4.The learned Additional Public Prosecutor would submit that it is a trap case and that the Forensic Laboratory report is yet to be received.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 31.12.2021, that the investigation is almost completed and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Special Judge, Vigilance and Anti-Corruption, Madurai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police for a period of thirty (30) days and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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].

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

- 1 THE SPECIAL JUDGE,
VIGILANCE AND ANTI CORRUPTION, MADURAI.
- 2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING, MADURAI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON (WOMEN) , MADURAI .
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI .

+1 CC to M/s.P.R.PRITHVIRAJ, Advocate (SR-931[I] dated 09/02/2022)

ORDER
IN
CRL OP(MD) No.2699 of 2022
Date :09/02/2022

PKP/JM/SAR-1/10.02.2022/3P/6C