



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 30/03/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). Nos.4957 and 5193 of 2022

Ramkumar ... Petitioner/Accused No.1
in Crl.O.P.(MD)No.4957 of 2022

Renukanth ... Petitioner/Accused No.2
in Crl.O.P.(MD)No.5193 of 2022

Vs

The State Rep. By,
The Inspector of Police,
Vigilance and Anti-Corruption Unit,
Virudhunagar District.
(Crime No.02/2022). ... Respondent/Complainant
in both petitions

For Petitioner : Mr.G.Mariappan
(in Crl.O.P.(MD)No.4957 of 2022)
Mr.AK.Azagarsami
(in Crl.O.P.(MD)No.5193 of 2022)
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
(in both petitions)

PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime No.02 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 01.03.2022 for the offences punishable under Sections 7 and 12 of Prevention of Corruption (Amendment) Act, 2018 in Crime No.2 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 28.02.2022, the first petitioner/A1 demanded Rs.7,000/- from the de-facto complainant as bribe for returning the R.C.Book and other documents and mobile phone. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the amount was recovered from the second petitioner/A2.

4.The learned Additional Public Prosecutor for the respondent police would submit that it is a trap case and the first petitioner/A1 demanded Rs.7,000/- for returning the R.C.Book and other documents and mobile phone of the de-facto complainant.

5.Considering the above facts and circumstances of the case and also taking note of the fact that the petitioners are in judicial custody from 01.03.2022 and also the fact that the petitioners are not having any bad antecedents, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate Court/Special Judge, Virudhunagar District at Srivilliputhur.

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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of one month and thereafter, as and when required for interrogation.

iii)the petitioners shall not tamper with evidence or witness.

iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/03/2022

/ TRUE COPY /

30/03/2022
Sub-Assistant Registrar (C.S-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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 concerned.

TO

1. THE CHIEF JUDICIAL MAGISTRATE/SPECIAL JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION UNIT,
VIRUDHUNAGAR.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-2709[I] dated 30/03/2022)

ORDER

IN

CRL OP(MD) No.4957 of 2022

Date :30/03/2022

sj i

USK/PN/SAR-I/30.03.2022/3P/6C