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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.12867 of 2022

P.Senthil Murugan,

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Thoothukudi Vigilance and Anti
Corruption Wing,
Thoothukudi District
(Crime No. 05 of 2022).

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.side)

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

PRAYER :-

For Bail in Crime No. 5 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Section 7(a) of the Prevention of Corruption Act, 1988 as amended in 2018 @ 12 r/w 7(a) of the Prevention of Corruption Act, 1988 as amended in 2018 in Crime No.5 of 2022 on the file of the respondent police.

2.The case of the prosecution in brief is as follows:-

3.On the basis of the complaint given by one Muniyasamy, who is the defacto complainant, trap was arranged by the respondent and in pursuance of the aforesaid trap, on 02.07.2022, trap was laid. The accused was arrested, on the basis of the aforesaid acceptance of Rs.3,00,000/- as bribe amount and in pursuance of the sodium bicarbonate solution test, ever since the petitioner is in judicial custody. Seeking bail, this petition has been filed on the ground that major portion of the investigation might have been over by this



4.The learned counsel for the petitioner would submit that due to the previous enmity and motive, a false complaint has been registered.

5.The respondent, who is the Investigation Officer, was present before this Court in person and has submitted that the property was assigned to the defacto complainant by the Government under a special scheme. For the purpose of selling the aforesaid property only, 'No Objection Certificate' from the petitioner was sought for by the defacto complainant. For issuing the 'No Objection Certificate', huge amount of Rs.3,00,000/- has been demanded by the petitioner and the accused was arrested was red-handed while receiving the aforesaid bribe amount. The investigation is in the preliminary stage.

6.Considering the fact that the amount of Rs.3,00,000/- is involved in this matter, the investigation is in the preliminary stage and if the petitioner is released on bail, there is every likelihood of absconding and hampering the investigation process. So, on that ground, now it is too early to enlarge the petitioner on bail. This Criminal Original Petition deserves to be dismissed and accordingly, **dismissed**.

sd/-
10/08/2022

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/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MM

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 INSPECTOR OF POLICE
THOOTHUKUDI VIGILANCE AND ANTI CORRUPTION WING,
THOOTHUKUDI DISTRICT
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, PERAVOORANI,
THOOTHUKUDI DISTRICT.



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3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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PKP/SVR/SAR-1/12.08.2022/3P/4C

ORDER

IN

CRL OP(MD) No.12867 of 2022

Date :10/08/2022