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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15166 of 2022

P.Senthil Murugan

... Petitioner/Accused No.1

Vs

The 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.Anandharaj.R,
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 Sections 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 is that 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 time.

3.The earlier petition that was filed by this petitioner seeking bail in Crl.O.P.(MD) No.12867 of 2022 came to be dismissed



by this Court, vide order dated 10.08.2022 on the ground the investigation was at the initial stage. Now, this petition has been filed on the ground that more than 50 days are now lapsed and the investigation appears to have been completed.

4.The learned Additional Public Prosecutor (Crl.side) for the respondent would submit that so far the original document, which was submitted by the defacto complainant, lies in the hands of the Tahsildar concerned. Insofar as this petitioner is concerned, no document is lying in the hands of the aforesaid Tahsildar. He would further submit that the voice record was also sent for expert analysis to the Forensic Science Laboratory.

5.Considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 learned Chief Judicial Magistrate, Thoothukudi, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

24/08/2022

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24/08/2022

Sub-Assistant Registrar (C.S.)
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, THOOTHUKUDI DISTRICT

2 THE OFFICER INCHARGE,
DISTRICT JAIL, PERAVOORANI, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
THOOTHUKUDI VIGILANCE AND ANTI CORRUPTION WING,
THOOTHUKUDI DISTRICT

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

+1 CC to M/s.R.ANANDHARAJ, Advocate (SR-8892[I] dated 24/08/2022)

ORDER IN

CRL OP(MD) No.15166 of 2022

Date :24/08/2022