



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05.09.2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.15966 of 2022

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Thenmozhi

... Petitioner/Sole Accused

Vs

State Represented by
The Inspector of Police,
Vigilance and Anti-Corruption,
Police Station, Thanjavur District.
Crime No.05 of 2022

... Respondent/Compliant

For Petitioner : Mr.SMA.Jinnah, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.05 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

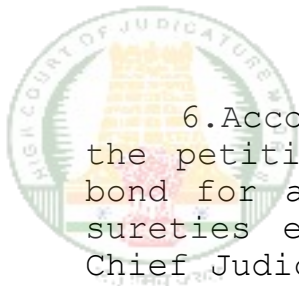
The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 20.07.2022 for the offences punishable under Section 7 of Prevention of Corruption Act, 1988 in Crime No.05 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner demanded Rs.4,500/- from the de-facto complainant as bribe for transferring the name in EB records for three EB connection. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is in custody from 20.07.2022 and the petitioner has been falsely implicated in this case. The major portion of the investigation was already over and prayed the petitioner to be released on bail.

4.On the side of the prosecution, it is stated that the investigation is almost over. As soon as the chemical report is received, the charge sheet will be filed.

5.Considering the nature of the offence and on considering the fact that the petitioner is in custody from 20.07.2022, this Court is inclined to grant bail to the petitioner with certain conditions.



6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Chief Judicial Magistrate No.1, Kumbakonam.

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(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 trial Court on all working days at 10.30 a.m., until further orders;

(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/-

05/09/2022

/ TRUE COPY /

05/09/2022

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE NO.1, KUMBAKONAM.

2 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION,
POLICE STATION, THANJAVUR DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, TIRUCHY.

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

+1 CC to M/s.S.M.A.JINNAH, Advocate (SR-9645[I] dated 05/09/2022)
ORDER
IN
CRL OP(MD) No.15966 of 2022
Date :05/09/2022

SJI

RS/VR/SAR.3 (05.09.2022) 2P-6C

<https://www.mhc.tn.gov.in/judis>