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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17741 of 2022

Pasuvanathan

... Petitioner/Sole Accused

Vs

State Rep.by

The Additional District Superintendent of police,

Vigilance & Anti-Corruption Division,

Virudhunagar District.

(Crime No.04/2022)

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesan, Advocate.

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl side)

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

PRAYER :-

For Bail in Crime No.04 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 13.09.2022 for the offences punishable under Sections 7 of Prevention of Corruption Act, 2018, in Crime No.04 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that it is a trap case. The petitioner is Assistant Executive Engineer (AEE) in Electricity Board and he received a sum of Rs.10,000/- as bribe from the defacto complainant with regard to remove a old electricity pole. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that he is aged 52 years. In



a confusion with the name of the another person in department, the petitioner was falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that investigation in this case was almost completed. He is in custody for the past 25 days.

5.Considering the above and also the nature of the charges levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his 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 Chief Judicial Magistrate, Virudhunagar, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Karthika Public Educational and Charitable Trust, SB Account No.497663303, Indian Bank, Mayiladurai, Branch Code-00165, IFSC Code: IDIB000M023, without prejudice to their rights and contentions before the trial Court. The petitioners shall execute the sureties on showing the receipt of the said amount.

[c]the petitioner shall report before the respondent police on every wednesday at 10.30 a.m., for a period of twelve weeks and thereafter as and when required for interrogation.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]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]**.

sd/-

06/10/2022

/ TRUE COPY /

06/10/2022

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
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 2 THE ADDITIONAL DISTRICT SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION DIVISION,
VIRUDHUNAGAR DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE,
KARTHIKA PUBLIC EDUCATIONAL AND CHARITABLE TRUST,
MAYILADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-10932[I] dated 06/10/2022

ORDER
IN
CRL OP(MD) No.17741 of 2022
Date :06/10/2022

PKP/VR/SAR-4/06.10.2022/3P/7C