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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/10/2022
PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.18576 of 2022

Ramesh Pandian

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Vigilane and Anticorruption Wing,
Dindigul.
Cr.No.5/2022.

... Respondent/Complainant

For Petitioner : M/s.Karthik.A.,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

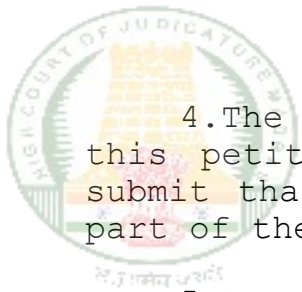
PRAYER :- For Bail in Crime No.5/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 28.09.2022 for the offences punishable under Section 7(a) of Prevention of Corruption Act as amended by the Prevention of Corruption (Amendment) Act, 2018, in crime No.5 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is working as Assistant Professor in Anna University College, Dindigul in Civil Department. On the date of occurrence, the petitioner had received a bribe of Rs.15,000/- from the defacto complainant for conducting soil test. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not demanded any amount from the de-facto complainant. He would further submit that the petitioner is in judicial custody from 28.09.2022, hence he may be released on bail.



4.The learned Additional Public Prosecutor strongly opposed this petition stating that it is a trap case. He would further submit that 11 witnesses have already been examined and the major part of the investigation is over.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and also the fact that the major part of the investigation is over, this Court is inclined to grant bail to the petitioner on 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/Special Judge for Prevention of Corruption Act Cases, Dindigul.

(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 respondent police daily 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].

sd/-

19/10/2022

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/10/2022

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE / SPECIAL JUDGE
FOR PREVENTION OF CORRUPTION ACT CASES,
DINDIGUL.

2 THE OFFICER INCHARGE
DINDIGUL JAIL, DINDIGUL.



3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTICORRUPTION WING,
DINDIGUL.

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

+1. CC to M/S.KARTHIK A Advocate SR.No.11682

ORDER

IN

CRL OP(MD) No.18576 of 2022

Date :19/10/2022

SJI

SA/SBN/SAR. /19.10.2022/3P/6C