



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/12/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.21550 of 2022

K.Saravanan

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Sivagangai District.
Crime No.10 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Bharathi R,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.10 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 01.11.2022 for the offences punishable under Section 7 of Prevention of Corruption Act, 1988 in Crime No.10 of 2022, seeks bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner has demanded bribe from him on 28.10.2022 for effecting transfer of patta in the name of his mother. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is working as a Surveyor in the Revenue Department and he was fixed in this case due to previous enmity. He would further submit that the petitioner is innocent and and he is in judicial custody from 01.11.2022 and hence, he seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would vehemently opposed to enlarge the petitioner on bail on the ground that he has



demanded bribe from the defacto complainant and pursuant to which trap was laid and the petitioner was caught red handed while receiving a sum of Rs.6,000/- from the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Principal District Court, Sivgangai and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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06/12/2022

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

TO

1 THE PRINCIPAL DISTRICT JUDGE,
SIVAGANGAI.



2 THE OFFICER INCHARGE,
DISTRICT PRISON,
SIVAGANGAI.

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION WING,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.BHARATHI R Advocate SR.No.14388

ORDER

IN

CRL OP(MD) No.21550 of 2022
Date :06/12/2022

TRP
SA/VR/SAR. /06.12.2022/3P/6C