Crl.O.P.No.4715 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Section 7(b) of the Prevention of Corruption (Amendment Act) 2018 of IPC in Cr.No.01/AC/2022/CC-II on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that this is the fourth anticipatory bail application in connection with case registered on 11.02.2022. Based on the complaint given by one Murugan, A2 / surveyor was arrested along with the mocked currency of Rs.5,00,000/- which is alleged to have been demanded by A1 / Tahsildar and A2/Surveyor. Hence, the present complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, the petitioner appearing before the Police for enquiry. Further, he submitted that A2 was arrested and released on bail. It is also submitted that without prejudice to his contentions, the petitioner is prepared to deposit some amount to any charitable organization or association. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the role of this petitioner in demanding the illegal gratification in connection with name transfer of the disputed property. Moreover, the petitioner is a Tahsildar and still absconding. However, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also of the fact that without prejudice, the petitioner is prepared to deposit some amount to any charitable organization or association, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is directed to **deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of M/S The Tamil Nadu Juvenile Justice Fund, A/C No.358001000000671, IFSC: IOBA0001288, MICR: 600020073, Indian Overseas Bank, SME Kilpauk Branch, Address: No.20, Ormes Road, Kilpauk, Chennai 10** and on such deposit and production of proof, the petitioner is ordered to be released on anticipatory bail on their executing a bond for a sum of **Rs.1,00,000/- (Rupees One Lakh only)** with **two sureties,** each for a like sum to the satisfaction of the **learned Chief Judicial Magistrate cum Special Judge, Chengalpattu** and on further conditions 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 Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police every Tuesday at 10:30 am. for a period of eight weeks and co-operate for investigation as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance

T.V.THAMILSELVI, J.

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with law as if the conditions have been imposed and the petitioner released on anticipatory 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];***

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

02.03.2023

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