



Crl.O.P.No.5322 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2023

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THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.5322 of 2023

C.Suresh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vigilance and Anti-Corruption,
Ranipet District.

(Crime No.01 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with the Crime No.01
of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Manuraj

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.02.2023, for the offences punishable under Section 7 of Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act, 2018 @ 7(a) & 12 of Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act, 2018, in Crime No.01 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the first accused, who is the Tahsildar of Arcot Taluk, Ranipet District, had demanded a sum of Rs.15,000/- to process the de-facto complainant's application with regard to change of names in joint patta. Based on the complaint given by the de-facto complainant, a trap was laid and during the trap, the accused have been caught red handed by the respondent. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner, who is arrayed as A1 in this case, is an innocent person and he has been falsely roped in this case. He further submitted that only A2, who is the Driver of the petitioner, was arrested while receiving the bribe from the de-



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facto complainant, whereas, the petitioner was made as a scape goat in this case and arrested on 15.02.2023. He also submitted that investigation is also over and the house search was also conducted by the respondent and nothing incriminating has been recovered. He further submitted that the petitioner, who has an unblemished service, has received the best Tahsildar Award in the Republic day held on 26.01.2023. Hence, he prayed for grant of bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has demanded a sum of Rs.15,000/- as bribe from the de-facto complainant to process his application with regard to change of names in joint patta, due to which, a trap was laid and during such time, the driver of the petitioner/A2 was caught red handed while receiving bribe from the de-facto complainant. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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, Vellore**, 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 everyday at 10.30 a.m., until further orders;

[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



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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]***;

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

10.03.2023

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To

1. The Chief Judicial Magistrate,
Vellore.
2. The Inspector of Police,
Vigilance and Anti-Corruption,
Ranipet District.
3. The Sub Jail,
Vellore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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