WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

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

Crl.O.P.No.9647 of 2023

R.Ravichandran ... Petitioner

Vs.

The Inspector of Police
Vigilance and Anti-Corruption,
Coimbatore, Tamil Nadu.
(Crime No.1 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 Crime No.1 of 2023 on the file of the respondent.

For Petitioner : Mr.C.Johnson

For Respondent : Mr. C.E.Pratap
Government Advocate (Crl. Side)

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 25.03.2023, for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988, as amended by Act of 2018, in Crime No.1 of 2023, on the file of the respondent police, seeks bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The case of the prosecution is that there was a wordy quarrel between the defacto complainant and his neighbours regarding parking of vehicles. Hence, a complaint was lodged against the defacto complainant in Sulthanpettai Police Station wherein the petitioner is working as a Special Sub Inspector of Police and he issued a CSR to the opposite party of the defacto complainant. During pendency of the CSR, the rival parties get compromised is issue and subsequently, the CSR was closed by the petitioner without registering FIR against the defacto complainant. From the registration of CSR, the petitioner constantly persuaded his demand of bribe of Rs.5,000/- and finally reduced to Rs.4,000/- for not registering FIR. As the defacto complainant was not willing to give bribe, he lodged a complaint before the Vigilance and Anti Corruption, Coimbatore and based on which, FIR in Crime No.1 of 2023 was registered and subsequently, trap was laid against the petitioner and he was arrested read handed while receiving bribe amount from the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and based on a false information, the case has been registered against the petitioner. He further submitted that the petitioenr

https://www.mhc.tn.gov.in/judis

WEB COPY

has been suffering incarceration from 25.03.2023 and the major part of investigation is over. Further, house search was also conducted and nothing incriminating was recovered from the house of the petitioner and that the petitioner is ready to co-operate for the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent vehemently opposed to grant bail to the petitioner stating that the petitioner who is working as a Special Sub Inspector of Police in Sulthanpettai Police Station has demanded bribe from the defacto complainant for not registering FIR against him and to close the CSR filed against him based on the complaint of one Jayaprakash and based on the complaint given by the defacto complainant, trap was laid and the petitioner was caught read handed while receiving bribe from the defacto complainant.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) and perused the materials available on record including the FIR.

https://www.mhc.tn.gov.in/judis

WEB COPY

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant of 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 **Special Court for trial of Cases under the Prevention of Corruption Act, Coimbatore,** 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. for a period of four weeks and thereafter, every every Saturday 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

https://www.mhc.tn.gov.in/judis

WEB COPY

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 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.

28.04.2023

ksa-2

To

1. The Special Judge, Special Court for trial of Cases
   under the Prevention of Corruption Act, Coimbatore.

2. The Inspector of Police
   Vigilance and Anti-Corruption,
   Coimbatore, Tamil Nadu

3. The Superintendent,
   Central Prison, Coimbatore.

4. The Public Prosecutor,
   High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

A.D.JAGADISH CHANDIRA,J.,

ksa-2

Crl.O.P.No.9647 of 2023

28.04.2023

https://www.mhc.tn.gov.in/judis