



Crl.OP.No.15237 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.07.2023

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THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.OP.No.15237 of 2023

Jegan Mohan

..Petitioner

Vs.

State Rep by its,
The Station House Officer,
Vigilance and Anti Corruption Villupuram,
Villupuram District,
Crime No.02 of 2023
...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with Crime No.02
of 2023 pending investigation on the file of the respondent police.

For Petitioner : M/s.T.Balaji

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



Crl.OP.No.15237 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.06.2023 for the offence punishable under Section 7 of Prevention of Corruption Act, 1988 amended as 2018 in Crime No.02 of 2023 on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner has been falsely implicated in a case registered for the offence under Section 7 of Prevention of Corruption Act, 1988 amended as 2018. Petitioner is in Judicial Custody from 23.06.2023. Thus, he seeks for bail to the petitioner.

3. In response, the learned Government Advocate (Crl. Side) submitted that, petitioner is working as an Assistant Engineer at Electricity Department. Petitioner demanded a sum of Rs.25,000/- from the defacto complainant for issuing change over switch. When petitioner received Rs.5,000/-, part of the bribe amount, he was trapped and the petitioner was arrested. Therefore, he opposed for grant of bail to the petitioner.



Crl.OP.No.15237 of 2023

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4. Considering the fact that it is a trap case and the petitioner was arrested while receiving the bribe amount and the petitioner is in Judicial Custody from 23.06.2023 and that the material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned Special Judge for Cases under the Prevention of Corruption Act, Villupuram** 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 daily at 10.30.a.m., until further orders.

[c] the petitioner shall not abscond either during



CrI.OP.No.15237 of 2023

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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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CrI.OP.No.15237 of 2023

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To

1. Special Judge for Cases
under the Prevention of Corruption Act,
Villupuram
2. The Station House Officer,
Vigilance and Anti Corruption Villupuram,
Villupuram District,
3. Sub Jail,
Villupuram.
4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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CrI.OP.No.15237 of 2023

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CrI.O.P.No.15237 of 2023

07.07.2023