



Crl.O.P.No.16210 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2023

CORAM

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

Crl.O.P.No.16210 of 2023

G.Santhi

...Petitioner

Vs.

State Rep by the Inspector of Police,
V and AC, Salem
(Crime No.4/AC/2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.4/AC/2023 on the file of the respondent police.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.06.2023 for the offences punishable under Section 7(A) and (a) of the Prevention of Corruption Act-1988 in Crime No.4/AC/2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in Crime No.4/AC/2023 registered for the offences punishable under Section 7(A) and (a) of the Prevention of Corruption Act-1988. He further submitted that, Petitioner is in judicial custody from 16.06.2023. She is suffering from Arthritis problem. Co-accused in this case has been granted bail. Thus, he prays for grant of bail.

3. In response, the learned Additional Public Prosecutor submitted that, petitioner is working as a Manager in Tamil Nadu Adi Dravidar Housing and Development Corporation Limited (TAHDCO). She demanded a sum of Rs.15,000/- as bribe for extending subsidy



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scheme facility to the *de-facto* complainant. Therefore, a trap was set up by the officials and petitioner was apprehended red handed when she received the bribe amount. Therefore, he prays for dismissal of this bail petition.

4. Considering the fact that trap ended in successful, and material witnesses are official witnesses and that petitioner is in judicial custody from 16.06.2023, this Court is inclined to grant bail to the petitioner and the petitioner is ordered to be released on bail on her 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 Court for trial of Cases under the Prevention of Corruption Act, Salem**, 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.



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[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 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.

28.07.2023

mpl



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To

- 1.The Special Court for trial of cases under the Prevention of Corruption Act, Salem.
- 2.The Woman Prison,
Salem.
- 3.The Inspector of Police,
V and AC, Salem
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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