



Crl.O.P.No.21605 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.21605 of 2023

Nataraj

...Petitioner

Vs.

State represented by
The Inspector of Police,
Vigilance and Anti Corruption,
Coimbatore District.
(Crime No.6 of 2023/AC.CB)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Cr.No.6/2023/AC/CB.

For Petitioner : Mr.S.Bharanidharan

For Respondent : Mr.R. Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.08.2023 in Crime No.6/2023/AC/CB for the offence punishable under Section 7(b) of Prevention of Corruption Act, 1988, as amended in 2018, on the file of the respondent police, seeks bail.



Crl.O.P.No.21605 of 2023

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2. It is alleged that the petitioner had demanded a sum of Rs.5,000/- as bribe amount for obtaining building approval. Hence, the case.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. He further stated that the petitioner is only a Meter Reader and there is no demand and acceptance by the petitioner with the defacto complainant. He further stated that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) stated that the petitioner had demanded a sum of Rs.5,000/- as bribe amount for obtaining building approval. Hence, he opposed to grant bail to the petitioner.



Crl.O.P.No.21605 of 2023

WEB COPY

5.It is stated that the petitioner is a Meter Reader and that the petitioner has not accepted the amount directly. The trap proceedings of the respondent had been successfully conducted. These are issues which have to be proved during the course of trial. Taking into consideration all these factors, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Prevention of Corruption Act, Coimbatore District, 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.



Crl.O.P.No.21605 of 2023

WEB COPY

[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.

03.10.2023

mps/ata
To

- 1.The Special Court for Trial of Cases
under Prevention of Corruption Act,
Coimbatore District.
- 2.The Central Prison,
Coimbatore.
- 3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.21605 of 2023

C.V.KARTHIKEYAN. J.

ata/mps

Crl.OP.No.21605 of 2023

03.10.2023