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CrI.OP.No.23465 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

CrI.OP.No.23465 of 2023

C.Venkatasalam

...Petitioner

Vs.

State represented by
The Inspector of Police,
Vigilance and Anti Corruption Villupuram,
Villupuram.
(Crime No.5 of 2023)

...Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner herein on bail in Crime No.5 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Thamaraiselvan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.09.2023 for the offence punishable under Section 7 of Prevention



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of Corruption Act, 1998 (Amended by Prevention of Corruption Act, 2018) in Crime No.5 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner who is a licensing surveyor had demanded bribe for a sum of Rs.5,000/- for transfer of patta.

3.Once the trap has been laid, thereafter further investigation has been done with the documents available.

4.Taking into consideration all the facts and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5.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 learned Special Judge for Prevention of Corruption Act cases, 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



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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 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.

12.10.2023

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To

1.The Special Judge for Prevention of Corruption Act Cases, Villupuram.

2.Sub Jail, Villupuram.



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3.The Inspector of Police,
Vigilance and Anti Corruption Villupuram,
Villupuram.

4.The Public Prosecutor,
High Court of Madras.

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