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Crl.O.P.No.24965 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

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

Crl.O.P.No.24965 of 2023

Ananthan S/o. Balan

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Vigilance and Anti-corruption,
Salem.

(Crime No.8/AC/2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime
No.8/AC/2023 on the file of the respondent police.

For Petitioner : Mr.R.Parthiban

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



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ORDER

The petitioner seeks bail in Crime No.8/AC/2023, registered by the respondent police for the offences punishable under Section 7A of Prevention of Corruption Act, 1988. The petitioner had been remanded to judicial custody on 05.09.2023.

2.It is the case of the prosecution that A1, who is the husband of the Panchayat Board President, had demanded a sum of Rs.5,00,000/- for getting planning permission for layout of plots. A trap was set and the trap was successful. As a matter of fact, it is the petitioner herein, who received the bribe amount but however, bail application of the accused had been considered and granted in Crl.O.P.No.25048 of 2023 by order dated 01.11.2023.

3. Taking all these factors into consideration, I am inclined to grant bail to the petitioner herein subject to the following conditions:

4. 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 Judge, (Special Court for Trial of Cases under Prevention



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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 respondent police everyday 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.

03.11.2023

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C.V.KARTHIKEYAN. J.

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To

1. The Special Judge, (Special Court for Trial of Cases under Prevention of Corruption Act),
Salem.
2. Central Prison, Salem.
3. The Inspector of Police,
Vigilance and Anti-corruption,
Salem.
4. The Public Prosecutor,
High Court of Madras.

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