



Crl.O.P.No.28549 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

Crl.OP.No.28549 of 2023

Dhanapal

...Petitioner

Vs.

State rep.by
The Inspector of Police,
Vigilance and Anti - Corruption Cell,
Thiruvarur – Post & District.
Crime No.9 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.9 of 2023 on the file of the respondent police.

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

ORDER

The petitioner/Revenue Inspector was trapped while accepting bribe of Rs.6,000/-. He is now an accused in Crime No.9 of 2023 registered by the respondent Police for the offences under Sections 7 of the Prevention of Corruption Act, 1988 as amended 2018. He had been remanded to judicial custody on 07.12.2023.

2.It is stated by the learned Government Advocate (Crl.Side) that



Crl.O.P.No.28549 of 2023

the trap was a success and the petitioner was caught red handed with possession of tainted bribe amount.

3.Bail is granted, but however, it is made clear that the Revenue Department where the petitioner is working also have a liberty to initiate disciplinary proceedings against the petitioner herein for the act of demand and acceptance of the bribe amount. Independent of that, bail is granted to the petitioner 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 **Chief Judicial Magistrate and Special Judge, Thiruvavarur** 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



WEB COPY



Crl.O.P.No.28549 of 2023

respondent Police, daily at 10.00 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.

sli

21.12.2023



WEB COPY



Crl.O.P.No.28549 of 2023

C.V.KARTHIKEYAN, J.

sli

To

1. The Chief Judicial Magistrate and Special Judge, Thiruvarur.
- 2.The Inspector of Police,
Vigilance and Anti - Corruption Cell,
Thiruvarur – Post & District.
Crime No.9 of 2023
- 3.Sub Jail, Nannilam.
- 4.The Public Prosecutor, Madras High Court.

Crl.OP.No.28549 of 2023

21.12.2023