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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 07/07/2023

PRESENT

**The Hon`ble Mr.Justice G.ILANGOVAN**

CRL OP(MD). No.12403 of 2023

Radhakrishnan

... Petitioner/Sole Accused

Vs

State Rep.by  
The Inspector of Police,  
Vigilance and Anti Corruption,  
Theni, Theni District.  
(Crime No.02 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Thalaimutharasu.G, Advocate  
For Respondent : Mr.B.Nambiselvan,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.02 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner /Accused, who was arrested on 28.06.2023 for the alleged offence under Sections 7 of Prevention of Corruption Act, 1988, in Crime No.2 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, who is working as Overseer, Panchayat Union had demanded and obtained Rs.7,500/- as bribe from the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He underwent heart surgery during November 2022. Even at the time of arrest, he had experienced difficulty due to above said ailment and admitted in Government Medical College Hospital, Theni and later, he was discharged. The petitioner was directed to follow the treatment. He is custody from 28.06.2023. Hence, prays to release him on bail.

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4.The learned Additional Public Prosecutor appearing as respondent would submit that the petitioner had received bribe and he is in custody only from 28.06.2023. The investigation is at nascent stage. Hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Without going into merits of the case, considering the health condition of the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned **Chief Judicial Magistrate/Special Judge for PC Act Cases, Theni District**, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-

07/07/2023

/ TRUE COPY /

07/07/2023

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PNM

TO

1 THE CHIEF JUDICIAL MAGISTRATE / SPECIAL JUDGE FOR PC ACT CASES,  
THENI DISTRICT.

2 THE OFFICER INCHARGE,, CENTRAL - SUB JAIL, THEKKAMPATTI,  
THENI DISTRICT.

3 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION, THENI,  
THENI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate ( SR-10376[I] dated  
07/07/2023 )

ORDER IN

CRL OP(MD) No.12403 of 2023

Date :07/07/2023

RS//SAR-(07.07.2023) 2P 6C

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