



CRL OP(MD). No.19243 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.19243 of 2023

R.Velmurugan

... Petitioner/ Accused

Vs

The State represented by
The Inspector of Police,
Vigilance and Anti Corruption,
Madurai.
(Crime No.8/2023)..

... Respondent/ Complainant

For Petitioner : Mr.A.Balaji,
Advocate.

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.08/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ accused , who was arrested and remanded to judicial custody on



CRL OP(MD). No.19243 of 2023

21.09.2023 for the alleged offence punishable under Section 7 of Prevention of Corruption Act, 1998 as amended by Section 7(a) of Prevention of Corruption (Amended) Act, 2018, in Crime No.8 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein, who is working as Foreman in the Electricity Board has demanded bribe of Rs.15,000/- from the defacto complainant and on trap, the said amount was seized from the petitioner in the presence of two witnesses. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is only working as a foreman and he has no right or power to give extension of commercial EB connection to the defacto complainant and hence, the entire allegations made against the petitioner is false. He would further submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in jail from 21.09.2023 and hence, he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent



CRL OP(MD). No.19243 of 2023

submitted that petitioner herein, who is working as Foreman in the Electricity Board has demanded bribe of Rs.15,000/- from the defacto complainant and on trap, the said amount was seized from the petitioner in the presence of two witnesses. He would further submit that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the period of incarceration and also taking into consideration of the principle stated by the Honourable Supreme Court in *Sanjay Chandra and others vs. CBI* reported in **(2012)1 SCC 40** and the nature of the offence alleged by the petitioner, this Court is inclined to grant bail to the petitioner.

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 Prevention of Corruption Act Cases, Madurai and on further conditions that:

(i) the petitioner shall affix his photograph 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.



CRL OP(MD). No.19243 of 2023

WEB COPY

(ii) the petitioner shall appear before the respondent police daily at 10.30 am until further orders.

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial.

(v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
31/10/2023

/ TRUE COPY /

31/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.19243 of 2023

TRP
WEB COPY

TO

- 1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF
PREVENTION OF CORRUPTION ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION, MADURAI.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.BALAJI, Advocate (SR-15705[I] dated 31/10/2023)

ORDER
IN

CRL OP(MD) No.19243 of 2023
Date :31/10/2023

SS/SAR- /31/10/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023