



CRL OP(MD)No.22257 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.12.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.22257 of 2023

B.Premkumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai District.
Crime.No.10 of 2023

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulinga Bharathi, 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.10 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 10.10.2023 for the alleged offence punishable under Section 7 of the Prevention of Corruption Act 1988 as amended by Section 7A of the Prevention of Corruption Act (Amendment Act 2018) in Crime No.10 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is the defacto complainant applied for patta in his

wife's name, for which, the petitioner herein, who is working as Sub Inspector of

<https://www.mhc.tn.gov.in/judis>



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Survey, Town Settlement, Tirupparankundram Taluk Office, demanded Rs.10,000/- as bribe. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 10.10.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation in this case is pending.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances and also taking into consideration the period of incarceration and 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, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

[i] 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:

(ii) the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(iii) the petitioner shall appear before the concerned Special Court on first working day of every English Calender month at 10.30 am., until further orders.

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

(v) the petitioner shall not abscond during trial.

(vi) 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].

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

sd/-
08/12/2023

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08/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns



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TO

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1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF PREVENTION OF CORRUPTION ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION,
MADURAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI, MADURAI DISTRICT.

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-17450[I] dated
08/12/2023)

ORDER

IN

CRL OP(MD) No.22257 of 2023

Date :08/12/2023

RS//SAR-(08.12.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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