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Crl.O.P.No.9178 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehend arrest for the alleged offence under Sections 7 & 7 -A of the Prevention of Corruption (Amendment) Act, 2018 in Crime No. 4/Ac/2022/CC-II dated 14.03.2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the respondent conducted joint surprise check at the cabin of C.Natarajan, DTCL, Office of the Transport commissioner, Ezhilagam, Chennai and seized a shoulder bag containing Rs.35,00,000/- found in possession of A1/C.Natarajan, who allegedly demanded bribe for pursuing the promotions of staff under the category of Assistant of Transport Department, whose promotion panel was called for to the post of Superintendent. During the course of the joint surprise check , it has been ascertained by the deputy inspection Cell officer through the Assistants that they had paid the money as bribe or



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undue advantage for their temporary promotion to the post of the Superintendent as demanded by A1. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioner is innocent person he has been falsely implicated in this case. Further, he ready to abide any conditions as imposed by this Court. Learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government advocate (Crl. side) submits that the petitioner is one of the bribe giver and the name of the petitioner and others was written in the cash bundles seized in the office. Hence, he prays to dismiss this petition.

5. Considering the facts and circumstances of the case, the respondent conducted joint surprise check at the cabin of C.Natarajan, DTCL, Office of the Transport commissioner, Ezhilagam, Chennai and seized a shoulder bag containing Rs.35,00,000/- found in possession of A1/C.Natarajan and it is alleged that the said amount was demanded by him



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from the petitioner and others for pursuing the promotions of staff under the category of Assistant of Transport Department, whose promotion panel was called for to the post of Superintendent. But, the respondent was not arrested the first accused for the reason best known to them and also the name of the other accused persons were written in the cash bundles. However, the petitioner was cooperated for the enquiry. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and respondent is directed to secure the A1 as quickly as possible.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Court for the exclusive trial of prevention of corruption act cases, Chennai, on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the petitioner and 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 report before the respondent police on every Sunday daily at 10.30 a.m.,until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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]**.



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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