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Crl.O.P.No.12522 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2024

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THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12522 of 2024

P.Anandaraman

...Petitioner/Sole Accused

Vs.

State represented by,
The Inspector of Police,
Vigilance and Anti Corruption Unit,
Puducherry
(Crime No.02/2023)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with Crime No.02 of
2023 on the file of the Inspector of Police, Thirubuvanai Police Station.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.V.Ramachandramurthy
Additional Public Prosecutor
Pondicherry.



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ORDER

The petitioner was arrested on 26.04.2024 for the offences punishable under Sections 7, 13(1) (d) (i) r/w 13(2) of Prevention of Corruption Act in Crime No.02 of 2023 registered on the file of the respondent Police, seeks bail.

2. Heard the learned counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

3. It appears that earlier an attempt was made by the petitioner under Section 439 (1) (a) of Cr.P.C in Crime No.142 of 2024 was dismissed on 16.05.2024 by the Vacation Judge, Puducherry. The complaint has been filed against the petitioner by one A.Jaisankar @ Paramadayalan who claims to be a public spirited person representing an NGO. The alleged offence is said to have taken place on 22.12.2022. The petitioner is alleged to have taken bribe for a sum of Rs. 2,000/- and had further demanded a sum of Rs. 1,500/- from the defacto complainant for giving attendance certificate. The petitioner was arrested on 26.04.2024.



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4. Considering the time lag between the alleged date of offence and the date of arrest and considering the fact that the disciplinary proceedings has been initiated against the petitioner, the petitioner is granted bail subject to the petitioner depositing a sum of Rs.10,000/- (Rupees Ten Thousand Only) to establish his *bonafide* before the respondent in Crime No.2 of 2023. The petitioner shall comply with rest of the conditions stipulated herein and shall also cooperate with the respondent in the disciplinary proceedings initiated/proposed to be initiated against the petitioner under the relevant disciplinary rule applicable to the petitioner. It is made clear that the petitioner shall cooperate with the department, failing which the respondent will be entitled to arrest the petitioner once again.

5. Accordingly, the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of Crime No.2 of 2023, before the learned Special Judge, Puducherry under Prevention of Corruption Act, and on such deposit, the petitioner is ordered to be released on bail on his executing 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 learned Special



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Judge, Puducherry under Prevention of Corruption Act 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 respondent police daily at 10.30.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 .

23.05.2024

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Note:

- 1.Registry is directed to forthwith upload this order in the official website of this Court.
- 2.All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1. The Special Judge,
Puducherry
Prevention of Corruption Act.
- 2.The Inspector of Police,
Vigilance and Anti Corruption Unit,
Puducherry
3. The Central Prison, Puducherry.
4. The Public Prosecutor, High Court of Madras.



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C.SARAVANAN.,J.

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