



CRL O.P. No.21475 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.21475 of 2024

Venkatachalam

... Petitioner / Accused

Vs

State rep. by
The Station House Officer,
Vigilance and Anti Corruption Police Station,
Kallakurichi District.

(Crime No.03 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the petitioner on bail in Crime No.03 of 2024, on the file of the respondent.

For Petitioner : Mr.V.Gunasekar

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.08.2024 for the offences punishable under Section 7 of Prevention of Corruption Act, in Crime No.03 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner, who is working as Circle Inspector in TNEB, is alleged to have demanded bribe of Rs.15,000/- from the defacto complainant for obtaining electricity connections for his two shops. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has never demanded bribe for electricity connections. He would also submit that the petitioner has been in custody from 09.08.2024 and that there is no previous case against the petitioner. Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor for the respondent would submit that the petitioner has demanded bribe of Rs.15,000/- from the defacto complainant for obtaining electricity connections in TNEB for his two shops. She would further submit that there is no previous case against the petitioner. However, she vehemently opposed to grant bail to the petitioner.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the nature of offences charged against the petitioner and that no previous case is pending against the petitioner and that the petitioner has been in custody from 09.08.2024 and all other aspects, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] 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 **Chief Judicial Magistrate, Kallakurichi**, and on further conditions that;



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[b] the petitioner shall report before the Chief Judicial Magistrate, Kallakurichi, on all working days at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To
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- 1.The Chief Judicial Magistrate, Kallakurichi.
- 2.The Station House Officer,
Vigilance and Anti Corruption Police Station,
Kallakurichi District.
- 3.District Jail, Villupuram.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.
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