



WEB COPY



CRL O.P. No.22263 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.22263 of 2024

M.Murugan

... Petitioner / Accused

Vs

State rep. by
The Inspector of Police,
Vigilance and Anti Corruption,
Villupuram.

(Crime No.06 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.06 of 2024, on the file of the respondent.

For Petitioner : Mr.R.Rajarathinam
Senior Counsel
for Mr.M.S.Sriraam

For Respondent : Mr.S.Vinothkumar
Government Advocate
(Criminal Side)



CRL O.P. No.22263 of 2024

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.08.2024 for the offences punishable under Section 7 of Prevention of Corruption Act, in Crime No.06 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner has demanded and accepted Rs.1,80,000/- on the demand of Rs.3,00,000/- from the defacto complainant as illegal gratification to send a letter of NOC to the Sub Registrar, Thiruvannainallur to register 9 plots of the defacto complainant. 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 done his duty by forwarding the letter dated 06.08.2024 to the Sub Registrar, Thiruvannainallur, with regard to the Survey Nos.346/1A, 346/1C, 346/4B1A, 495/1B1A and 495/1B2A. He would further submit that there was no previous case



CRL O.P. No.22263 of 2024

against the petitioner and the petitioner has been in custody for more than 20 days. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner has demanded and accepted Rs.1,80,000/- from the defacto complainant as illegal gratification to send a letter of NOC to the Sub Registrar, Thiruvannainallur, to register 9 plots of the defacto complainant. He would further submit that there is no previous case against the petitioner. However, he raised serious objections 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 the petitioner has been in custody from 21.08.2024 and also considering that no previous case is pending against the petitioner 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



CRL O.P. No.22263 of 2024

Thousand only) with two sureties each for a like sum to the satisfaction of the **Special Court for Prevention of Corruption Act, Villupuram**, and on further conditions that;

[b] the Petitioner shall report before the Special Court for Prevention of Corruption Act Cases, Villupuram, 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.

12.09.2024

ata



CRL O.P. No.22263 of 2024

To
WEB COPY

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



WEB COPY



CRL O.P. No.22263 of 2024

P.DHANABAL,J.
ata

CRL.OP.No.22263 of 2024

12.09.2024