



Crl.O.P.No.22963 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

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THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.22963 of 2024

Ramamoorthy

...Petitioner/Accused No.1

Vs.

The State Represented by
The Inspector of Police,
Vigilance and Anti Corruption Police Station,
Villupuram.
Crime No.08 of 2024

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.08 of 2024 on the file of the respondent police.

For Petitioner : Mr.G.Magesh Kumar

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 29.08.2024 for the offences under Section 7 altered to Sections 7 and 12 of the Prevention of Corruption Act, 1988 (Amended Act 2018) in Crime No.08 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, along with other accused, have demanded money from the de facto complainant for obtaining the patta of the de facto complainant. Hence, the case.

3. Learned counsel for the petitioner/A1, submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He also submitted that the co-accused/A2 in this case has been granted bail by this Court vide its order dated 12.09.2024 in Crl.O.P.No.22269 of 2024. He further submitted that the petitioner has been in custody since 29.08.2024. He further submitted that the



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petitioner is a law-abiding citizen; that he is ready to furnish substantial sureties for his due release on bail; and therefore, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) for the respondent police submitted that there are two accused in this case; that the petitioner is arrayed as A1; that the petitioner/A1 along with other accused have demanded money from the de facto complainant for obtaining a patta of the de facto complainant. He further submitted that there are no previous cases pending against the petitioner. However, he strongly opposed the grant of bail to the petitioner.

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

6. Considering the representation made by both sides, the nature of offences charged against the petitioner, that already the co-accused was granted bail by this Court, that there are no previous cases pending against the petitioner, and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant



bail to the petitioner with certain conditions:

7. Accordingly, 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 *Special Court for Prevention of Corruption at Cases, Villupuram*, and on further conditions that:

[a] 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;

[b] the petitioner shall attend in accordance with the conditions of the bond;

[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 or tamper with the evidence;

[e] the petitioner shall not abscond either during



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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.

23.09.2024

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To

- 1.The Special Court for Prevention of Corruption at Cases,
Villupuram.
- 2.The District Jail,
Villupuram.
- 3.The Inspector of Police,
Vigilance and Anti Corruption Police Station,
Villupuram.
- 4.The Public Prosecutor
High Court of Madras.



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P.DHANABAL, J.

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