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Crl.O.P. No.25159 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.10.2024

CORAM

The Hon`ble Mr.Justice P.DHANABAL

CRL OP.No.25159 of 2024

M.Ramesh Kannan

... Petitioner

Vs

State rep. by:-

State Represented by

Inspector of Police,

CBI, ACB Chennai.

(Crime No. RC032 2024A 0013)

... Respondent

For Petitioner : Mr.D. Padmanabhan

For Respondent : Mr.K.S.Srinivasan
Special Public Prosecutor (CBI Cases)

PETITION FOR BAIL Under Sec.483 of B.N.S.S

PRAYER: - The Criminal Original Petition is filed under Section 483 of the BNSS praying to grant bail to the petitioner in Crime No. RC032 2024A 0013 on the file of the respondent police.



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ORDER

The petitioner/accused , who was arrested and remanded to judicial custody on 19.09.2024 for the offence punishable under Section 61(2) of BNS & under Section 7, 7A, 8 and 12 of PC Act, 1988 (as amended in 2018) in Crime No. RC032 2024A 0013 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused A1 demanded an illegal gratification of Rs.2 lakhs for himself and Rs. 50,000/- for DEO from A2/petitioner for issuance of Licence/Consent for industries for Establishment and Operations in favour of M/s. Vijaya Industries Alcohols Limited, Puducherry.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant bail



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to the petitioner.

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4. The learned Government Advocate (Crl.Side) would submit that the offence committed by the accused/petitioner are very grievous in nature and also against society. The voice samples for the petitioner has not yet been taken and the petition is to be filed before the Trial Court for obtaining Voice sample of the petitioner and he further submitted that petitioner may abscond and may not cooperate or available for investigation and further process, if he is released on bail. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the representation made on either side and also considering the nature of allegation leveled against the petitioner and there is no previous case pending against the petitioner and also considering period of incarceration undergone by the petitioner, I am



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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 **Principal District Sessions Judge, Puducherry** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 A.M, until further orders.

[c] the petitioner shall attend in accordance with the conditions of the bond.

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

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

[f] the petitioner shall not directly or indirectly make any



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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.

[g] 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].

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

19.10.2024

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
nsl

P.DHANABAL,J.



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nsI

To

1. The Principal District Sessions Judge, Puducherry
2. The Inspector of Police,
CBI, ACB Chennai.
3. Central Prison, Puducherry.
4. The Government Advocate (Crl.Side), High Court, Madras.

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