



Crl.O.P.No.25582 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.25582 of 2024

Nagalla Srinivasa Rao

...Petitioner/Accused No.1

Vs.

State Represented by
The Inspector of Police,
CBI, ACB
Chennai.

...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.R.C.No.032 2024 A 0013 of 2024 on the file of the respondent.

For Petitioner : Mr.E.Sivanandan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for
CBI Cases.



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ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 19.09.2024 for the offence under Section 61(2) of the BNS Act, 2023, 7, 7A, 8 and 12 of the Prevention of Corruption Act, 1988 (as amended in 2018), in Crime No.R.C.No.032 2024 A 0013 of 2024 on the file of the respondent, seeks bail.

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

3. Learned counsel for the petitioner 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 was granted bail by this Court vide its order dated 15.10.2024 in Crl.O.P.No.25159 of 2024. He further



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submitted that the petitioner has been in custody since 19.09.2024; that the 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 Special Public Prosecutor for the respondent submitted that the petitioner demanded an amount for the issuance of a license. He further submitted that there are no previous cases pending against the petitioner. However, he vehemently 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, that already the co-accused was arrested and released on bail that there are no previous cases pending against the petitioner and also considering the incarceration period undergone by the petitioner from 19.09.2024, 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 learned *Principal District Judge, Puducherry* and on further conditions that:

[a] the petitioner shall report before the respondent police daily 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 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



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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.

23.10.2024

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To

- 1.The Principal District Judge,
Puducherry.
- 2.The Superintendent of Prison,
Puducherry Central Prison, Kalapet.
- 3.The Inspector of Police,
CBI, ACB,
Chennai.
- 4.The Public Prosecutor
High Court of Madras.



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P.DHANABAL, J.

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