



Crl.O.P.No.30872 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30872 of 2024

1.Karthik @ Karthikeyan

2.Murugamani

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Vigilance and Anti Corruption,
Salem District.

(Crime No.14/AC/2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.14/AC/2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.P.Sridhar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.14/AC/2024 registered for the offences punishable under Sections 7(a) of Prevention of Corruption Act, 1988



Crl.O.P.No.30872 of 2024

as amended by Prevention of Corruption (Amendment) Act, 2018, is on board for consideration.

2. The case of the prosecution is that the defacto complainant had filed a writ petition before the High Court of Madras, seeking removal of encroachments in water bodies (i.e) Pamboothu Odai, located in Periyagoundapuram Village and the Hon'ble High Court in W.P.No.1397 of 2024 had ordered for removal of encroachments in the said Pamboothu Odai. Thereafter, the defacto complainant had approached the Tahsildar, Vazhapadi to execute the order of the Court and since the Tahsildar had not obeyed, the defacto complainant filed a contempt petition against the erring officials and the same was pending before the Hon'ble High Court in O.P.No.2645 of 2024. Meanwhile, the defacto complainant approached the Tahsildar once again and the Tahsildar had instructed A1 to conduct a survey and remove the encroachment, for which, A1 demanded bribe of Rs.50,000/- from the defacto complainant and he had collected the amount through A2, a private individual and they were arrested at the time of receiving the bribe amount. Hence, the case.



Crl.O.P.No.30872 of 2024

3. Learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the defacto complainant has given a false complaint, based on which, a trap has been laid and they have been arrested. He would submit that the amount was received only by A2 and A1 has not received the amount.

4. Learned Government Advocate (Crl.Side) would submit that the investigation is in the initial stage and he would submit that despite orders passed by the High Court, the accused had demanded money and received the same. Therefore, he vehemently oppose for grant of bail to the petitioner.

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

6. This Court finds that the accused, despite the orders of the High Court, had demanded the money and accepted the same and that since the investigation is in initial stage, this Court is not inclined to grant bail to the petitioner.



WEB COPY



CrI.O.P.No.30872 of 2024

A.D.JAGADISH CHANDIRA.,J.

Anu

7. Accordingly, this Criminal Original Petition stands dismissed for the present.

13.12.2024

Anu

To

1. The Inspector of Police,
Vigilance and Anti Corruption,
Salem District.
2. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.30872 of 2024