



CRL OP(MD).No.6840 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

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Selvi

... Petitioner/ Accused No.3

Vs.

State rep. by
The Inspector of Police,
Vigilance and Anti-Corruption,
Ramanathapuram District.
(Crime No.8 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Subash Babu
Senior Counsel
for M/s. Subash Law Office

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :- For Anticipatory Bail in Crime No.8 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Section 7(a) of Prevention of Corruption (Amendment) Act 2018, in Crime No.8 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.04.2024 when the electricity wire shift work has been going, the first accused came there and demanded illegal bribe amount of Rs.9,000/- from the defacto complainant. Thereby, the defacto complainant requested the first accused to reduce some amount, but Accused No.1 refused the same and demanded Rs.9,000/- as bribe. Hence, the defacto complainant lodged a complaint before the respondent police and the case has been registered. After registering F.I.R., Accused Nos.1 and 2 red handed by the respondent police and thereafter, the respondent police obtained confession statement from the first accused. As per the confession statement, Accused No.1 demanded and received a sum of Rs.3,000/- from the defacto complainant for the petitioner/ Accused No.3.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not involve any crime as alleged by the defacto complainant. Though, the petitioner working as Assistant Engineer in the Devipattinam Electricity Board Office, she never demanded any amount from the defacto complainant. Based on the



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confession statement alone, the petitioner has been falsely implicated in this case

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and hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that Accused Nos.1 and 2 were already arrested and released on bail. He would further submit that the petitioner demanded an illegal bribe amount of Rs.5,000/- from the defacto complainant to shift the E.B. Line. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned chief Judicial Magistrate, Ramanathapuram, on condition that the petitioner shall 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 learned Magistrate concerned and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.



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[b]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

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

[e]On breach of any of the aforesaid conditions, the learned 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 is 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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/05/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD



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TO
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- 1 THE JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M/S.SUBASH LAW OFFICE, Advocate (SR-5672[I] dated
23/05/2024)

ORDER
IN

CRL OP(MD) No.6840 of 2024

Date :22/05/2024

SS/VR/SAR- /27/05/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023