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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12012 of 2024

R.Chandrasekaran

... Petitioner/ Sole Accused

Vs

The Inspector of Police,
Vigilance and Anti Corruption,
Virudhunagar.

Crime No. 5/2024.

U/s.7 of the Prevention of Corruption Act, 1988
as amended in 2018

... Respondent/Complainant

For Petitioner : Mr.S.Louis,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 5 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody
on 03.07.2024 for the offences punishable under Section 7 of Prevention of



Corruption Act, 1988 as amended in 2018, in Crime No.5 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner, who was working as Food Safety Officer, had demanded Rs.7,000/- for getting license of the defacto complainant's shop and received Rs.1,500/- and hence, he was caught red handed by the trab team. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner shall abide any condition imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is pending and hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Judicial Magistrate, virudhunagar District at Srivilliputhur.



(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner are directed to deposit a sum of Rs.7,000/- (Rupees Seven Thousand only) each to the credit of Crime No.5 of 2024 before the Judicial Magistrate, Virudhunagar District at Srivilliputhur, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(ii) the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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 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].



vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/07/2024

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30/07/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. The Judicial Magistrate,
Virudhunagar District
at Srivilliputhur

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3. The Inspector of Police,
Vigilance and Anti Corruption,
Virudhunagar.

4 The officer incharge, Virudhunagar Prison, Virudhunagar District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.LOUIS, Advocate (SR-8984[I] dated 30/07/2024)



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ORDER
IN

CRL OP(MD) No.12012 of 2024

Date :30/07/2024

MK/30.07.2024 5P 7C

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