



CRL OP(MD). No.12378 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.12378 of 2024

R.Selvaraj,

... Petitioner/ Accused No.1

Vs

The State rep.by
The Inspector of Police,
Vigilance and Anti Corruption,
Virudhunagar,
Virudhunagar District.
(Crime No. 6/2024.)

... Respondent/Complainant

For Petitioner : G.Mariappan,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 6 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.12378 of 2024

ORDER: The Court made the following order :-

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The petitioner/A1, who was arrested and remanded to judicial custody on 09.07.2024 for the offence punishable under Section 7 and 12 r/w 7 of Prevention of Corruption Act, 1988 as amended in 2018, in crime No.6 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, who is the Village Administrative Officer, T.Kadamankulam Village, demanded the bribe amount of Rs.25,000/- from the defacto complainant for surveying the land. On behalf of the petitioner, A2 received the same. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as mentioned in the FIR. He would further submit that the petitioner is in judicial custody from 09.07.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that petitioner has demanded the amount of Rs.25,000/- from the defacto complainant for surveying the land and on behalf of him, A2 received the same. Since the investigation is in



CRL OP(MD). No.12378 of 2024

preliminary stage, he vehemently, opposed to grant bail to the petitioner.

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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 on certain 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 Chief Judicial Magistrate Cum Special Judge for Prevention of Corruption Act Cases, Srivilliputhur, Virudhunagar District.

(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 shall report before the respondent police weekly once i.e., every Saturday at 10.30 a.m., until further orders;

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



CRL OP(MD). No.12378 of 2024

iv)the petitioner shall not abscond during trial.

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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/-
01/08/2024

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01 /08/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.12378 of 2024

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TO

- 1.The Special Judge / Chief Judicial Magistrate,
Virudhunagar District, at Srivilliputhur..
 2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
 3. The Superintendent, District Jail, Virudhunagar..
 4. The Inspector of Police,
Vigilance and Anti Corruption,
Virudhunagar, Virudhunagar District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to G.MARIAPPAN Advocate SR.No.9158. dt.01.08.2024.

ORDER

IN

CRL OP(MD) No.12378 of 2024

Date :01/08/2024

SI/ / -(01.08.2024) 5P/ 7C

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