



CRL OP(MD). No.13435 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13435 of 2024

J.Brundhavanan

... Petitioner/ Accused

Vs

The Inspector of Police,
Vigilance and Anti Corruption Wing,
Pudukkottai District.

Crime No.2 of 2024

... Respondent/Complainant

For Petitioner : M/s.Arul Jenifer.A, Advocate.

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

PETITION FOR BAIL Under Sec.483 BNS / 439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.2 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 02.07.2024 for the offences punishable under Sections 7(a) of Prevention of Corruption Amendment Act, 2018 in Crime No.2 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein, has demanded a sum of Rs.1,00,000/- from the defacto complainant for fixing the new meter for solar power plat. Hence the case.

3.Heard the learned counsel for the petitioner and the learned Additional Public



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Prosecutor appearing for the respondent and perused the materials available on
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record.

4. Considering the nature of allegations against the petitioner that he was caught red handed while receiving bribe on 02.07.2024 and considering the fact that the major part of the investigation is over, I am inclined to enlarge the petitioner on bail.

5. It can be seen that much time is taken by the Forensic laboratory at Chennai, for its report. It is stated that the workload for the lab is on the higher side. A copy of this order shall be placed before the Secretary to Government, Home Department for him to consider to increase the facilities in the same lab or to establish more number of labs, so that these testing and rendering reports to the concerned police can be expedited. We must be in a position to receive the reports through online at least within seven or eight working days, whereas now it is said that it takes months together. Therefore, a copy of this order shall be placed before the Secretary to Government, Home Department for appropriate action.

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 / Special Judge for Trial of Case under Prevention of Corruption Act, Pudukkottai.



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(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 appear 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/08/2024

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16/08/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

<https://www.mhc.tn.gov.in/judis>



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TO

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1 THE JUDICIAL MAGISTRATE /
SPECIAL JUDGE FOR TRIAL OF CASE UNDER
PREVENTION OF CORRUPTION ACT, PUDUKKOTTAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION WING,
PUDUKKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU, HOME DEPARTMENT,
SECRETARIAT, FORT ST.GEORGE, CHENNAI.

ORDER
IN

CRL OP(MD) No.13435 of 2024

Date :16/08/2024

RS//SAR-(16.08.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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