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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18537 of 2024

Gomathi,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, the Inspector of Police,
Vigilance and Anti-Corruption
Police Station,Tirunelveli.
(Cr.No.05 of 2022).

... Respondent/Complainant

For Petitioner : T.Selvan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.05 of 2022 on the file of the Respondent Police.



ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 167, 409 IPC r/w. 7(C) of Prevention of Corruption (Amendment) Act, 2018 in Crime.No.05 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein, who is the Sub Registrar, registered the sale deed which is presented below the guideline value. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations that the petitioner being a Sub Register is said to have registered the sale deed which is presented below the guideline value and considering the argument of the learned counsel for the petitioner that the petitioner went by the letter of the concerned Registrar and considering the fact that the case is of the year, 2022, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of



Trial Court under PC Act, Tirunelveli 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with 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 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]; and;



(f)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
28/10/2024

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

TO

1 THE SPECIAL JUDGE,
SPECIAL COURT FOR TRIAL
COURT UNDER PC ACT,TIRUNELVELI.

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

3 THE INSPECTOR OF POLICE,
VIGILANCEAND ANTI-CORRUPTION POLICE STATION,
TIRUNELVELI.



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

+1CC to M/s.T.Selvan, Advocate(SR.No.61190)

ORDER

IN

CRL OP(MD) No.18537 of 2024

Date :28/10/2024

MGJ/SKN(15.11.2024) 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023