



CRL OP(MD). No.21029 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Muthu Pandi,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Vigilance and Anti-Corruption,
Sivagangai District.
(Crime No.12 of 2024)

... Respondent/Complainant

For Petitioner : Mr.G.Thalaimuthurasu,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :- For Bail in Crime No.12 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 16.11.2024 for the alleged offences under Sections 7(a) of Prevention of



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Corruption Act, 1988 as amended by the PC(Amendment) Act, 2018, in Crime No.12 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that 4 sale deeds were executed in the office of the Joint Sub Registrar No.II, Karaikudi. These documents were supposed to be received by the defacto complainant on behalf of the purchasers. The defacto complainant approached A2 who is a document writer in this regard. It was informed that the defacto complainant has to pay a sum of Rs.1 lakh for getting the documents released. After negotiation, it was scaled down to Rs.60,000/-. On 14.11.2024, the defacto complainant contacted A2 over phone and he was informed to bring a sum of Rs.60,000/-. The defacto complainant informed the same to the police and hence, a trap was laid and the accused persons were caught red-handed.

3. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that there are totally 2 accused persons in this case and the petitioner has been arrayed as A1. He further submitted that the petitioner is working as a Sub Registrar and there is already one previous case against the petitioner in Crime No.4 of 2020 which was also registered under the Prevention of Corruption Act.

4. Per contra, the learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner has nothing to do with the alleged offence.



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the case.

5. Heard the learned counsel on either side and perused the material records of

6. Taking into consideration the facts and circumstances of the case and considering the fact that it is a trap case and the petitioner has suffered incarceration from 16.11.2024 and also considering the fact that A2 was already enlarged on bail by this Court in Crl.OP(MD).No.20769 of 2024 by order dated 28.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai, and on further conditions that:-

[a] 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 a.m. for a period of 3 weeks and thereafter on every Friday at 10.30 a.m. until further orders.

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



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

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[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
02/12/2024

/ TRUE COPY /

02/12/2024
Sub-Assistant Registrar (C.O)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1 THE SPECIAL JUDGE FOR
TRIAL OF CASES UNDER THE PREVENTION OF CORRUPTION ACT,
SIVAGANGAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
SIVAGANGAI DISTRICT.



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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-14768[I] dated 02/12/2024)

ORDER
IN
CRL OP(MD) No.21029 of 2024
Date :02/12/2024

SA/SAR. /02.12.2024/5P/6C

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