



CRL OP(MD). No.23142 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.23142 of 2023

P.Bose

... Petitioner/Sole Accused

Vs

**The State represented by its
The Deputy Superintendent of Police,
Vigilance & Anti Corruption,
Theni.
Crime No.6 of 2023**

... Respondent/Complainant

**For Petitioner : Mr.M.Saravanan , Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.**

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

PRAYER :-

For bail in Crime No.6 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 29.11.2023 for the offence under Section 7 of Prevention of Corruption



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Act, 1988, in Crime No.6 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner was working as 'Cashier' in the Myiladumparai Panchayat Union. The defacto complainant approached the petitioner for registering himself as contractor. For that, the petitioner demanded a sum of Rs.5,000/- as bribe from the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 29.11.2023. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is not yet completed. Hence, he 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



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the following conditions:

6. 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 Judicial Magistrate/Special Judge for PC Act Cases, Theni District, 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 is directed to appear before the respondent police daily at 10.30 a.m., until further orders.

(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



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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/-
22/01/2024

/ TRUE COPY /

22/01/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

- 1 THE JUDICIAL MAGISTRATE,
SPECIAL JUDGE FOR PC ACT CASES,
THENI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION, THENI.



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4 THE OFFICER INCHARGE
SUB JAIL, THEKKAMPATTI, K.VILAKKU,
THENI DISTRICT.

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

+1 CC to M/s.M.SARAVANAN, Advocate (SR-859[I] dated 22/01/2024)

ORDER
IN
CRL OP(MD) No.23142 of 2023
Date :22/01/2024

PKP/22.01.2024/ 5P/7C

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