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Crl.O.P.No.1940 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1940 of 2025

Murugamani

... Petitioner

Vs.

The State Represented By
The Inspector of Police,
Vigilance and Anti-Corruption Police Station,
Salem District.
(Crime No.14/AC/2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.14/AC/2024 pending investigation on the file of the respondent police.

For Petitioner : M/s. N.U. Pressanna

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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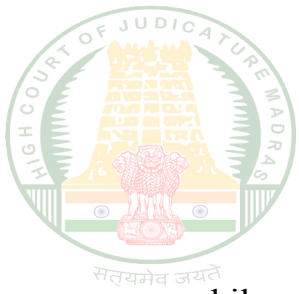
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ORDER

Petition seeking bail in respect of Crime No.14/AC/2024 registered for the offences punishable under Sections 7(a) of The Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018, is on board for consideration.

2. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He also submitted that the petitioner/ A2 is merely an Office Assistant to the main accused/ A1, other than obeying the words of A1, he has not committed any offence, thereby, the petitioner has also trapped into the case of bribe, alleged against A1. He also submitted that the main accused/ A1 has been granted bail by this Court vide order dated 07.01.2025 in CrI.O.P.No.51 of 2025. He also submitted that the petitioner is in custody from 27.11.2024 and the petitioner is also ready to abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police



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while opposing for grant of bail to the petitioner is that, the co-accused Karthikeyan/ A1, involved in demanding a sum of Rs.15,000/- as a bribe to perform his duty and the petitioner herein is the assistant to A1. He also submitted that the co-accused/A1 was already arrested and released on bail by this Court.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, including the FIR.

5. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels on either side and considering the fact that the co-accused was granted bail and period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Special Court under Prevention of Corruption Act, Salem** and on further conditions that:



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[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 everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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];***



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

28.01.2025

stn

To

1. The learned Special Judge for trial of Cases under Prevention of Corruption Act, Salem.
2. The Inspector of Police,
Vigilance and Anti-Corruption Police Station,
Salem District.
3. The Superintendent,
Central Jail, Salem.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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