



Crl.O.P.Nos.2568 and 2573 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.2568 and 2573 of 2025

1. S. Sarathkumar ... Petitioner in Crl.O.P.No.2568 of 2025/ A3
2. Bharathi ... Petitioner in Crl.O.P.No.2573 of 2025/ A2

Vs.

The State represented by,
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Police,
Villupuram.
(Crime No.1/ 2025/AC/VPM)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.1/ 2025/AC/VPM, pending investigation on the file of the respondent Police.

For Petitioner : Mr. D. Stalin

For Respondent : Mr. A. Gopinath
Government Advocate (Crl.Side)



Crl.O.P.Nos.2568 and 2573 of 2025

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ORDER

Petition seeking bail in respect of Crime No.1/2025/AC/VPM, registered for the alleged offences punishable under Sections 7(b) of Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018 @ 7(b) and 7A of Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018, is on board for consideration.

2. The case of the prosecution is that, the petitioners along with other accused had demanded a sum of Rs.9,000/- as bribe from the defacto complainant to perform their official duties. Hence, this case.

3. Learned counsel appearing for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case and have not committed any offence as alleged by the prosecution. He also submitted that the petitioners have been arrested and remanded to judicial custody on 07.01.2025. He also submitted that there is no specific overact as against the petitioners herein and as per the FIR, the main accused/A1 alone is alleged to have demanded and obtained bribe for a sum of Rs.9,000/- from the



Crl.O.P.Nos.2568 and 2573 of 2025

defacto complainant. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, therefore, prayed to grant bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for granting of bail to the petitioners submitted that the petitioners along with other accused persons for performing their duties, demanded bribe for a sum of Rs.9,000/- from the defacto complainant. He also submitted that the specific allegation is against the main accused/ Thangaraj, who has been arrayed as A1 and the petitioners herein are arrayed as A2 and A3, who also colluded with A1 in the said offence. He further submitted that there are no previous case as against the petitioners herein and further investigation is pending.

5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



Crl.O.P.Nos.2568 and 2573 of 2025

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6. Taking into consideration the facts and circumstances of the case, considering the nature of allegation, the submissions made by the learned counsels on either side, considering the period of incarceration and the fact that the petitioners have no previous cases, further custody of the petitioner is not required for the purpose of investigation in the present case, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their 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 for Prevention of Corruption Act Cases, Villupuram** 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 petitioners shall report before the



Crl.O.P.Nos.2568 and 2573 of 2025

respondent Police on everyday at 10:30 a.m., until further orders;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

03.02.2025

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Crl.O.P.Nos.2568 and 2573 of 2025

SUNDER MOHAN, J.

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To

1. The Sepcial Judge,
Special Court for Prevention of Corruption Act Cases,
Villupuram.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Police,
Villupuram.
3. The Superintendent,
District Jail in Vedampattu, Villupuram.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.Nos.2568 and 2573 of 2025

03.02.2025