



Crl. O.P. No.6228 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.6228 of 2025

Boopathi S/o. Arumugam

... Petitioner / Accused-2

Vs.

The State represented by:

The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Erode District.

(Crime No.1/AC/2025/ER).

... Respondent

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

For Petitioner : Mr.C.S. Saravanan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.02.2025, seeking bail in Crime No.1/AC/2025/ER registered for the offences under Section 7(a) and 12 read with



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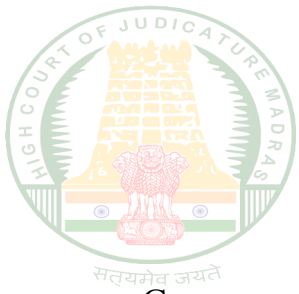
7(a) of the Prevention of Corruption (Amendment) Act, 1988 amended in 2018.

2. The case of the prosecution is that the A1 is working as Village Administrative Officer and A2 is a private person, who was engaged by A1 for collecting bribe; that A1 had demanded Rs.3,500/- for patta name transfer to the defacto complainant; that the petitioner had received a sum of Rs.2,500/- on behalf of A1.

3. Learned counsel appearing for the petitioner submitted that the petitioner has not received any money as alleged by the prosecution; that one Sabari, a named accused in the FIR, was not arrested and that in any case, further custody of the petitioner is not required and hence considering the period of incarceration of the petitioner, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner was arrested during the trap proceedings.

5. Heard the learned counsel appearing for the petitioner and the learned



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Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations and the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 learned **Chief Judicial Magistrate, Special Court for Prevention of Corruption Act, Erode** 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 appear before the respondent Police twice a week i.e., on Monday and Thursday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during



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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]***;

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

05.03.2025

mjs

To

1. The Chief Judicial Magistrate,
Special Court for Prevention of Corruption Act,
Erode.
2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Erode District.
- 3 The Sub Jail, Erode.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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