



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7107 of 2025

S.Ashokumar

...Petitioner/Accused 1

Vs.

State rep by
The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Namakkal.

(Crime No.2/AC/2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.2/AC/2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Vivekananthan

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 04.02.2025, seeking bail



in Crime No.2/AC/2025 registered for the offence under Section 7(a) of the Prevention of Corruption Amendment Act.

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2.It is the case of the prosecution that the petitioner was working as Surveyor; that he along with A2/VAO had demanded Rs.5,000/- from the defacto complainant for surveying the property and for transfer of patta and that the respondent conducted a trap and the petitioner was apprehended, when he accepted the said amount of Rs.5,000/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the similarly placed co-accused/A2 was granted bail by this Court in Crl.O.P.No.6110 of 2025 on 05.03.2025; and that in any case, further custody of the petitioner is not required for the purpose of investigation and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that co-accused/A2 was granted bail by this Court on 05.03.2025.



5.Heard the learned counsel on either side and perused the materials available on record.

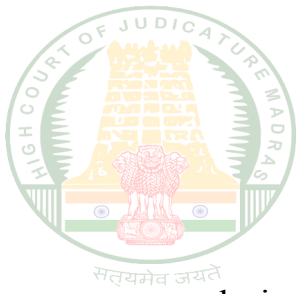
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6.Considering the nature of allegations, period of incarceration and the fact that the similarly placed co-accused was granted bail by this Court in Crl.O.P.No.6110 of 2025 on 05.03.2025 and since further custody of the petitioner is not required, 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 **Chief Judicial Magistrate, Namakkal**, 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, twice a week i.e., on every Monday and Thursday at 10.30 a.m., until further orders;



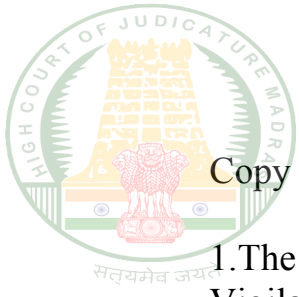
- [c] the petitioner shall not abscond either during investigation or trial,
- [d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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]***;

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

12.03.2025

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Copy to:

1. The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Namakkal.

2. The Chief Judicial Magistrate, Namakkal.

3. Central Prison, Salem.

4. The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.7107 of 2



SUNDER MOHAN, J.

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Crl.O.P.No.7107 of 2025

12.03.2025