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Crl.O.P.No.14446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14446 of 2025

N.Anbazhagan

... Petitioner/Accused

Vs.

The State

Rep by its Inspector of Police,
Vigilance and Anti-Corruption,
Nagapattinam,
Nagapattinam District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail in Crime
No.01 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Muruga Bharathi

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 01.04.2025, for the offences punishable under Section 7 of the Prevention
of Corruption (Amendment) Act, 2018 in connection with Crime No.01 of
2025, registered on the file of the respondent, seeks bail.



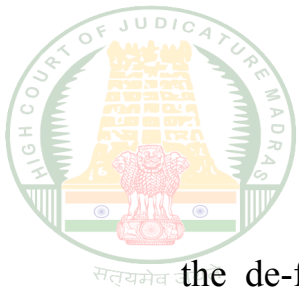
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2.The learned counsel for the petitioner even before commencing his arguments submitted that the name of the petitioner has been wrongly typed in the petition and affidavit as “A.Anbzhagan” instead of “N.Anbzhagan”. The said submission made by the learned counsel for petitioner is taken on record and accordingly, this Court proceeds further without hinging on technicalities.

3. The case of the prosecution is that the petitioner demanded and accepted Rs.12,000/- from the de-facto complainant for recommending and processing the file and releasing the 25% subsidy amount of Rs.1,25,000/- to the IOB, Thittachery for the loan sanctioned to the de-facto complainant for Rs.5,00,000/- under Unemployed Youth Employment Generation Programme (UYEGP). Hence, the case.

4. The contention of the learned counsel for petitioner is that the petitioner has been falsely fabricated in a trap case. The de-facto complainant/decoy had a tiff with the petitioner with regard to eligibility of subsidy to him. The petitioner had earlier not entertained the de-facto complainant's request, hence, there was some motive. Keeping this in mind,



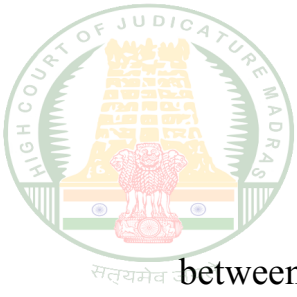
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the de-facto complainant lodged a false complaint against the petitioner.

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Without any proper background verification, the Trap Laying Officer registered a case, enlisted the interested witnesses and thereafter projected that the petitioner demanded and accepted a sum of Rs.12,000/- as bribe amount from the decoy. He further submitted that now the petitioner was arrested on 01.04.2025 and he is still in prison. Hence, he prays for grant of bail to the petitioner.

5. Learned Government Advocate (Criminal Side) appearing for the respondent police filed his objections submitting that the decoy had lodged a complaint on 01.04.2025 informing that the petitioner, who is a Assistant Director, District Thozhil Maiyam, Nagapattinam, demanded a bribe amount of Rs.12,000/- from the decoy on 27.03.2025 and continued his demand on 28.03.2025 for recommending and processing the file and releasing the 25% subsidy amount of Rs.1,25,000/- to the IOB, Thittachery for the loan sanctioned to the de-facto complainant for Rs.5,00,000/- under Unemployed Youth Employment Generation Programme (UYEGP). After verifying the genuineness of the complaint a case was registered at 09.00 hours on 01.04.2025 and thereafter a trap was organised on the same day



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between 11.30 hours and 12.00 noon. The petitioner demanding an amount of Rs.12,000/- was confirmed by the decoy as well as accompanying witnesses. The petitioner received money by his right hand and counted the same using his both hands and then kept the bribe amount on his left side pant front pocket. On getting pre-trap signal, the TLO along with witnesses entered the office, on identification of the decoy, the petitioner was enquired and thereafter phenolphthalein test conducted, which confirmed the petitioner handling bribe amount. Further unaccounted amount of Rs.1,01,000/- was also seized from the possession of the petitioner. Now investigation is in progress, soon final report to be filed. Hence, he strongly opposed for granting bail to the petitioner.

6. Heard both sides and perused the materials available on record.

7. Considering the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner and it is case of trap, this Court is inclined to grant bail to the petitioner with certain conditions.



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8. 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 **Chief Judicial Magistrate, Nagapattinam, Nagapattinam District**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., till the filing of charge sheet and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen



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days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

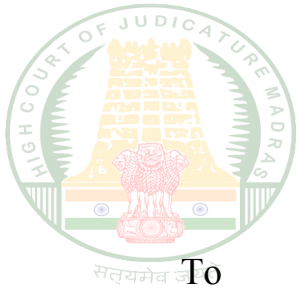
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

16.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To
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1.The Chief Judicial Magistrate,
Nagapattinam, Nagapattinam District.

2.Inspector of Police,
Vigilance and Anti-Corruption,
Nagapattinam,
Nagapattinam District.

3.The Superintendent,
District Jail,
Nagapattinam.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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