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Crl.O.P.No.22217 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22217 of 2025

K.Prakash

S/o V.Kathirvel

Aged about 45 years

Proprietor, KKP Electricals

Residing at No.139, Convent Road,

New Fairlands, Salem 636 016.

..Petitioner/Accused

/versus/

The State

Represented by the Inspector of Police

Vigilance and Anti Corruption

Salem

Crime No.11/AC/2025

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail in connection with Crime No.11/AC/2025 on the file of the respondent.

For Petitioner

:Mr.N.Umapathi

For Respondent

:Mr.L.Baskaran

Government Advocate (Crl. Side)



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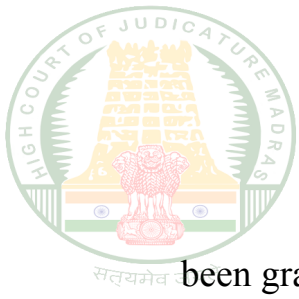
ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.07.2025 for the offences punishable under Sections 7(a) of the Prevention of Corruption Act, 1988, as amended in 2018, in Crime No.11/AC/2025 on the file of the respondent, seeks bail.

2. The petitioner herein, who acted as a conduit for receiving bribe money on behalf of the first accused, a public servant, is before this Court seeking bail.

3.The case of the prosecution is that the defacto complainant T.G.Shanmugam, is a PWD Contractor and the successful bidder in respect of two tenders floated by the PWD, Salem. However, to issue the work order, the first accused who is the Senior Drafting Officer, Electrical Division, Salem, demanded 10% of the work order value. Hence, a trap was laid and on the day of trap i.e. on 21.07.2025 this petitioner, who is also a Contractor, PWD, was present at the scene of occurrence and received the tainted money from the defacto complainant on behalf of the Public Servant/A1.

4. The learned counsel appearing for the petitioner states that he was present at the scene of occurrence, when the defacto complainant gave a cover containing money and he innocently received it. He has not received the money on behalf of the first accused or as a bribe money for issuing work order. He also submitted that he is the public servant, who is A1 and he has



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been granted bail by this Court on 08.08.2025.

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5. The learned Government Advocate (Crl.Side) submitted that the investigation conducted sofar reveals that the money was demanded by A1 and received by A2 on behalf of the A1. Investigation is almost completed.

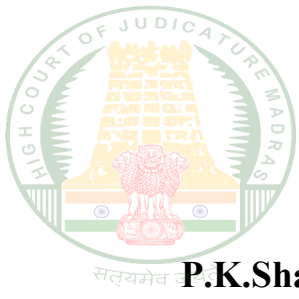
6. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal Sessions Judge, Salem** 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 Investigating Officer for a period of 30 days and thereafter as and when required for interrogation.**

[c] 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



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P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

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

11.08.2025

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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.

To

- 1.The Principal Sessions Judge, Salem.
- 2.The Inspector of Police
Vigilance and Anti Corruption
Salem
- 3.The Central Prison,Salem.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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