

**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE  
PERAMBALUR.**

**Present: Thiru. S. Giri, B.Sc., M.L.,  
Chief Judicial Magistrate,  
Perambalur.**

**Monday, this the 29<sup>th</sup> Day of June 2020**

**E.Bail No.1 / 2020**

**in**

**Cr.No.4/2019**

K. Manickam S/o Krishnasamy

/Vs/

Petitioner/Accused

State rep. by its,  
Deputy Superintendent of Police,  
Vigilance and Anti Corruption,  
Perambalur.  
In Cr.No.4/2019.

Respondent/Complainant

Petition dated 24.06.2020 filed U/s. 438 (ii) of Cr.P.C. to relaxation of condition imposed on the petitioner in Cr.No.4/2019.

This petition coming on this day before me for enquiry in the presence of Thiru. S. Sirajudeen Advocate for the petitioner and the Deputy Legal Advisor for the State and Police reply received through email and petitioner counsel argument heard, upon perusing the petition and other relevant records, this court delivered the following:

**ORDER**

1. This petition is filed u/s 438(ii) of Cr.P.C. before this Court to grant relaxation of condition imposed by this court against the petitioner /

accused herein concerned in Cr.M.P.No.180/2020 and 879/2020 on the file of this court for the alleged offence u/s. 7 of Prevention of corruption Act 1988 as amended by the Prevention of Corruption ( Amendment ) Act 2018.

2. The case of the prosecution is that the petitioner was involved in an offence punishable u/s 7 of Prevention of Corruption Act 2018. Hence a case has been registered against the petitioner.

3. The learned Counsel for the petitioner/accused stated that the petitioner was arrested and remanded on 27.12.2019 by the respondent Police for the alleged offence u/s. 7 of Prevention of corruption Act 1988 as amended by the Prevention of Corruption ( Amendment ) Act 2018 in Crime No.4/2019. The petitioner was released on bail in Cr.M.P.No.180/2020 dated 22.01.2020 and he was released on bail after 27 days. The condition was imposed to sign daily before Respondent Police office. The petitioner is complying with the condition from 25.01.2020 to 26.02.2020 the above petitioner previous relaxation petition in Cr.M.P.No.879/2020 was modified on 26.02.2020. In these circumstances this Honourable court may be pleased to relax the condition totally imposed on the petitioner.

4. The learned Deputy Legal Advisor has stated in reply that the accused was involved in an offence u/s 7 of Prevention of corruption Act 2018 and the accused was arrested on 27.12.2019 and he was released on bail and investigation is pending. This petition in this case prosecution side strongly objected for relaxation of condition against the accused and stated


that witnesses are yet to be examined and also documents are yet to be collected. If the condition is relaxed the petitioner will hamper the investigation and tamper the witnesses. Therefore this petition is liable to be dismissed.

5. Submissions of the petitioner counsel heard and objections of the Deputy Legal Advisor and Police perused.

6. Records on hand are perused. The petitioner was arrested and remanded on 27.12.2019 for an offence u/s 7 of Prevention of corruption Act 1988 as amended by the Prevention of corruption (Amendment) Act 2018. The submissions made by the prosecution are carefully perused. Investigation is not completed and the same is pending and the prosecution has strongly objected for relaxation of condition to the accused.

7. Taking into consideration of the facts and circumstances of the case and the period of signing by the petitioner herein before the respondent Police on every Monday 10.00am from 26.02.2020 the petitioner herein is filed the present condition modifying application. Accordingly the condition is modified that the accused shall sign before the Police on 1<sup>st</sup> and 15<sup>th</sup> day of every month until further orders.

Pronounced by me through email, this the 29<sup>th</sup> day of June 2020.

  
29/6/2020  
Chief Judicial Magistrate,  
Perambalur.

**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE  
PERAMBALUR.**

**Present: S. Giri, B.Sc., M.L.,  
Chief Judicial Magistrate,  
Perambalur.**

**Monday, this the 29<sup>th</sup> Day of June 2020**

**Cr.M.P.No.1566 / 2020**

**in**

**Cr.No.2/2020**

N. Pugalenti S/o Nallu

Petitioner/Accused

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State rep. by its,  
Inspector of Police,  
Vigilance and Anti Corruption,  
Perambalur.

In Cr.No.2/2020.

Respondent/Complainant

Petition dated 24.06.2020 filed U/s. 437 of Cr.P.C. to release the accused on bail in Cr.No.2/2020.

This petition coming on this day before me for enquiry in the presence of Thiru. P. Panneerselvam Advocate for the petitioner and the Deputy Legal Advisor for the State and Police reply received through email and petitioner counsel argument heard, upon perusing the petition and other relevant records, this court delivered the following:

**ORDER**

1. This petition is filed u/s 437 of Cr.P.C. before this Court to grant bail to the petitioner / accused (A2) herein concerned in Crime No.2/2020

on the file of Perambalur Vigilance and Anti-Corruption for the alleged offence u/s. 7 and 12 of the Prevention of corruption Act 1988 as amended by the Prevention of Corruption ( Amendment ) Act 2018.

2. The case of the prosecution is that this petitioner (A2) along with another one accused V. Mani (A1) involved in an offence u/s. 7 and 12 of the Prevention of Corruption Act 2018. Hence a case has been registered against the petitioner and another one.

3. The learned Counsel appearing for the petitioner/accused (A2) submitted that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case due to enmity. He further submitted that the petitioner is suffering chronic acute respiratory trouble and Covid – 19 pandemic will attack him and he needs proper medical care and care taker. It is further submitted that this petitioner is aged about 54 years and he is in no way connected with this case and also he is working temporarily in the Arulmigu Madhanagopalaswamy Thirukovil, Perambalur as a clerk on daily wage basis. Therefore he prays to grant bail to the petitioner.

4. The learned Deputy Legal Advisor has stated in reply that the accused was involved in an offence u/s. 7 and 12 of the Prevention of corruption Act 2018 and the accused was arrested and remanded only on 22.06.2020.

Further it is submitted that the petitioner/accused (A2) had received the bribe amount of Rs.20,000/- from A1 and counted them using his both hands and kept the same in the office almirah. Phenolphthalein tests were conducted on both hands of the accused and proved positive. The report is not yet received and investigation is in initial stage and not yet completed and also certain vital witnesses have to be examined and further submitted that if the accused is released on bail, he may tamper the witnesses and hence this petition may be dismissed.

5. Submissions of the petitioner counsel heard and objections of the Deputy Legal Advisor and Police perused.

6. Records on hand are perused. The petitioner (A2) was arrested and remanded on 22.06.2020 for an offence u/s. 7 and 12 of the Prevention of Corruption Act 1988 as amended by the Prevention of corruption (Amendment) Act 2018. The submissions made by the prosecution are carefully perused. Investigation is not completed and the same is pending and the prosecution has strongly objected for release of the accused on bail at this initial stage.

7. Taking into consideration the facts and circumstances of the case and the strong objection raised by the prosecution and investigation is not completed, this court is not inclined to grant bail to this petitioner.

Therefore this bail petition is dismissed.

Pronounced by me through email, this the 29<sup>th</sup> day of June 2020.

A handwritten signature in green ink, consisting of a stylized initial 'J' followed by a horizontal line, and the date '29/6/2020' written to the right.

Chief Judicial Magistrate,  
Perambalur.