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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18440 of 2022

Gomathi ... Petitioner/Accused

Vs

The State represented by
The Inspector of Police,
Vigilance and Anticorruption Police Station,
Tirunelveli District.
(Crime No.5/2022).

... Respondent/Complainant

For Petitioner : M/s.Venkat Ramana T S R,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.5/2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of
the respondent police for the offences punishable under Section 7(c)
of the Prevention of Corruption Act, 1998 r/w Sections 167 and 409
IPC, in Cr.No.5 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working
as Joint-I, Sub Registrar, Original Registration Branch, Sub
Registrar Office, Tenkasi, Tenkasi District from 22.10.2020 to till
date. She was working as Sub Registrar, Alangulam, Tirunelveli
District from 21.09.2017 to 28.01.2020. During that period, the
petitioner had initially registered a settlement deed No.2525/2019,
dated 21.05.2019 in the name of Tr.Ibrahim Bathusa in respect of
land comprised in S.No.25/1B 1A of Melapalayam Village to an extent
1.958 acres. The petitioner, in continuation of the above



settlement deed, dated 21.05.2019, had registered 76 sale documents in respect of 76 plots divided into areas of an extent from 12.52 cents to 1.01 cents within 7 days for a period from 11.07.2019 to 22.01.2020 and deliberately ignoring the circular, dated 18.03.2020, G.Os' and the Act. The survey number mentioned in the settlement deed No.2525/2019 is 25/1B 1A. The guide line value of this survey number per sq.ft is Rs.374/-. The petitioner deliberately with dishonest intention had framed incorrect records by showing survey No.25/1A alone in the mentioned 76 sale deed executed in pursuance of the settlement deed having guideline value of only Rs.143/- per sq.ft instead of showing the actual survey No.25/a-B 1A having the guideline of Rs.374 per sq.ft and thereby, caused heavy loss to the Government Exchequer for a sum of Rs.17,48,839.00/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to previous enmity, a false case was foisted against the petitioner and the petitioner is innocent and she has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the petitioner being public servant by using her official position, had framed incorrect records, performed her public duty improperly and caused heavy loss to the Government Exchequer to the tune of Rs.17,48,839.00/-. The investigation is pending in this case and the custodial interrogation of the petitioner is required in this case. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the huge amount involved in this case and the custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

18/10/2022

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/11/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
VIGILANCE AND ANTICORRUPTION POLICE STATION,
TIRUNELVELI DISTRICT.



2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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+1. CC to M/S.VENKAT RAMANA T S R Advocate SR.No.11841

ORDER

IN

CRL OP(MD) No.18440 of 2022

Date :18/10/2022

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