



CRL OP(MD). No.12304 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12304 of 2023

P.Kalimuthu,

... Petitioner/Sole Accused

Vs

The Inspector of Police,  
Vigilance and Anti Corruption,  
Virudhunagar District.  
Crime No.5 of 2023.

... Respondent/Complainant

For Petitioner : M/s Yogeswaran.J,  
Advocate.

For Respondent : Mr.B.Nambiselvan,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.5 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 26.06.2023 for the alleged offence under Sections 7 of Prevention of Corruption Act, 1988, as amended in 2018, in Crime No.5 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused person is Panchayat President of Keelarajakularaman Panchayat. The defacto complainant approached the accused



CRL OP(MD). No.12304 of 2023

to get plan approval for his house, for which, the accused person demanded Rs.10,000/- and subsequently, reduced to Rs.6,000/- as bribe and caught red handedly by trap team and remanded to judicial custody. Hence, the complaint.

3.For demanding and acceptance of bribe amount by the accused person for granting plan approval for constructing a building by the defacto complainant, the case has been registered. It is a case of trap and he was arrested red handed. Seeking bail, this petition has been filed on the ground that the petitioner is aged about 74 years, ailing from various health issues. He was admitted in the prison hospital. Earlier report was called for from the Prison Authority as to the health condition of the petitioner. Report received stating that he was admitted in the Government hospital, Virudhunagar, on 17.07.2023 and discharged from the hospital on 26.07.2023.

4.The learned Additional Public Prosecutor would submit that on the basis of the complaint given by the wife of the defacto complainant, enquiry was undertaken in C.S.R.No.302 of 2023. During the course of enquiry, on behalf of the petitioner, his family members have appeared and given undertaking to the effect that they will not make any trouble to the defacto complainant in future. On the basis of the above said undertaking, the above said complaint was also closed on 26.07.2023.

5.Considering the submissions made by the learned counsel on either side and



CRL OP(MD). No.12304 of 2023

considering the age of the petitioner and his ailments, this Court is inclined to grant bail to the petitioner with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Srivilliputhur and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-  
27/07/2023

/ TRUE COPY /

27/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TM  
TO

1 THE CHIEF JUDICIAL MAGISTRATE,  
SRIVILLIPUTHUR.

2 THE OFFICER INCHARGE,  
DISTRICT PRISON, VIRUDHUNAGAR.

3 THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION,  
VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.12304 of 2023

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

+1. CC to M/S YOGESWARAN.J Advocate SR.No.11356

ORDER  
IN  
CRL OP(MD) No.12304 of 2023  
Date :27/07/2023

SA/SAR. /27.07.2023/4P/6C  
Madurai Bench of Madras High Court is issuing  
certified copies in this format from 17/07/2023.