



CRL OP(MD). No.1349 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 31/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Parvathy Malliga

... Petitioner/Sole Accused

Vs

The Deputy Superintendent of Police,  
Vigilance and Anti Corruption,  
Tirunelveli District.  
In Crime No.13 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.Saravana Kumar,  
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.13 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody  
on 29.12.2023 for the offences punishable under Sections 7(a) of Prevention of



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Corruption Act amended in 2018 in Crime No.13 of 2023, on the file of the  
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respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner is working as Extension Officer, Social Welfare Department, Palayamkottai. When she demanded and received an amount of Rs.2,500/- for issuing an order under EVR Maniyammai Memorial Marriage Scheme from the beneficiary, she was arrested red handed in the trap proceedings initiated by the respondent Police. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any allegations as alleged by the prosecution. He would further submit that since the petitioner is working as the Extension Officer, Social Welfare Department, the false case has been foisted against her and the petitioner is in judicial custody for more than 30 days. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has committed a serious nature of offence by collecting Rs.2,500/- from the beneficiary for providing the fund under EVR Maniyammai Memorial Marriage Scheme. Hence, he strongly opposed to grant bail to the petitioner.



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5. Heard. Perused the materials available on record including the First Information Report.

6. Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is ordered and 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 Special Judge for Trial of Cases under the Prevention of Corruption Act, Tirunelveli, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**(b) the petitioner is directed to appear before the respondent police daily at 6.00 p.m., till filing of the Charge Sheet;**

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



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(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
31/01/2024

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31/01/2024  
Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

INDU  
TO

- 1 THE SPECIAL JUDGE FOR TRIAL OF CASES  
UNDER THE PREVENTION OF CORRUPTION ACT,  
TIRUNELVELI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,  
DEPUTY SUPERINTENDENT OF POLICE,  
VIGILANCE AND ANTI CORRUPTION,  
TIRUNELVELI.
- 3 THE SUPERINTENDENT  
CENTRAL PRISON FOR WOMEN, KOKKARAKULAM,  
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.



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

+1 CC to M/s.S.SARAVANA KUMAR, Advocate ( SR-1222[I] dated 31/01/2024 )

ORDER  
IN  
CRL OP(MD) No.1349 of 2024  
Date :31/01/2024

SS/SAR- /31/01/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023