



CRL OP(MD). No.11067 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.07.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.11067 of 2025

P.Viji,
W/o.Thanish Krishnakumar,

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Vigilance and Anti-Corruption Wing,
Nagercoil,
Kanyakumari District.
(Crime No.7 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Gandhi,
Senior Advocate
Mr.A.Balaji,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)



CRL OP(MD). No.11067 of 2025

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

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PRAYER :- For Bail in Crime No.7 of 2025 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 23.06.2025 for the offences punishable under Section 7 of the Prevention of Corruption Act, 1988 (as amended by the Prevention of Corruption (Amendment) Act, 2018), in Crime No.7 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that he is the owner of the house property bearing Door No.27/39, situated within the jurisdiction of Pacode Town Panchayat. He had applied for a name transfer and assessment of property tax in his name. In this regard, the petitioner/accused allegedly demanded a sum of Rs.2,000/- as undue advantage to process the request. On 23.06.2025, the defacto complainant met the petitioner/accused and paid the demanded amount, at which point the petitioner was caught red-handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would also submit that the petitioner neither demanded nor accepted



CRL OP(MD). No.11067 of 2025

WEB COPY

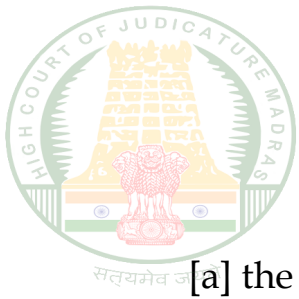
any amount from anyone. He would further submit that the petitioner is in custody from 23.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the accused person was allegedly caught red-handed. He would further submit that there are no previous cases against the petitioner. He would further submit that the investigation has been completed and the chemical analysis report has also established the case against the petitioner. Therefore, he opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration and also the fact that there are no previous cases against the petitioner, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on her 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 learned Principal District and Sessions Judge, Nagercoil at Kanyakumari District, and on further conditions that:-



CRL OP(MD). No.11067 of 2025

WEB COPY

[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 shall furnish her residential address and mobile number to the learned Principal District and Sessions Judge, Nagercoil at Kanyakumari District. If the petitioner changes her residential address, she shall report the same to the learned Principal District and Sessions Judge, Nagercoil at Kanyakumari District.

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under



CRL OP(MD). No.11067 of 2025

Section 269 of BNS, 2023.

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8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
01/07/2025

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01/07/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, NAGERCOIL AT KANYAKUMARI DISTRICT.

2 THE OFFICER INCHARGE, WOMEN SUB-JAIL, THUCKALAY.

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

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

+1 CC to M/s.A.BALAJI, Advocate (SR-6944[I] dated 01/07/2025)

ORDER
IN
CRL OP(MD) No.11067 of 2025
Date :01/07/2025

NBF/01.07.2025 5P/6C

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