



CRL OP(MD). No.11152 of 2025

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

Date : 02.07.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.11152 of 2025

Mahalingam,
S/o.Chinnaiyan

...Petitioner / Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Vigilance and Anti-Corruption Wing,
Thanjavur.
(Crime No.4 of 2025)

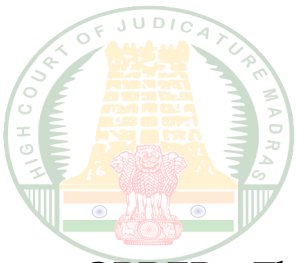
... Respondent/ Complainant

For Petitioner : Mr.S.Gurumoorthy,
Advocate.

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

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

PRAYER :- For Bail in Crime No.4 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / accused, who was arrested and remanded to judicial custody on 10.06.2025 for the offences punishable under Sections 7 and 12 read with Section 7 of the Prevention of Corruption Act, 1988, in Crime No.4 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1, who is a Junior Assistant at the Sub-Registrar's Office, Swamimalai, received a bribe of Rs.500/- through the petitioner from the defacto complainant, for the issuance of an Encumbrance Certificate. It is further alleged that both the accused were caught red-handed during the trap proceedings, and the bribe amount was recovered intact from the possession of the petitioner, who had received it under the direction of A1. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he 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 any amount from anyone. He would further submit that the petitioner is in custody from 10.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally two accused persons in this case and the petitioner has been arrayed as



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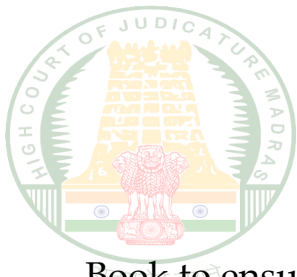
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A2. He would also submit that the accused were allegedly caught red-handed during the trap proceedings, and the bribe amount was recovered intact from the possession of the petitioner, who is said to have received it at the instance of A1. He would further submit that there are no previous cases against the petitioner. He would also submit that the investigation is pending for chemical analysis, and therefore, he opposes the grant of bail to the petitioner at this stage.

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 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 Principal Sessions Judge, Thanjavur, 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



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Book to ensure their identity.

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[b] the petitioner shall furnish his residential address and mobile number to the learned Principal Sessions Judge, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Principal Sessions Judge, Thanjavur.

[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 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/-
02/07/2025

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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Principal Sessions Judge,
Thanjavur.
2. The Officer-in-Charge,
Sub-Jail,
Thanjavur.
3. The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Thanjavur.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.11152 of 2025
Date :02/07/2025

MK/02.07.2025 5P/5C

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