



Crl.OP.(MD)No.3368 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.11.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.3368 of 2025

S.Uma Maheswari

... Petitioner/ Accused

Vs.

The State of Tamil Nadu ,
Represented by The Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.18 of 2023)

... Respondent

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.18 of 2023 on the file of the respondent police.



Crl.OP.(MD)No.3368 of 2025

ORDER: The Court made the following order:

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 403, 420, 409, 468, 471, 120(b) of IPC and Section 3(1)(q), 3(2)(vii) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 of IPC in Crime No.18 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that accused No.1 namely Seethapriya was working as a Senior Revenue Inspector in the Adi Dravidar Welfare Department, Sivagangai. In course of her work as Senior Revenue Inspector from 04.03.2016 to 31.07.2023 the said accused by manipulation of software, created bogus accounts and as such diverted the funds sanctioned as miscellaneous grant to the tune of Rs.9,00,000/-. Later the said Accused on admitting the offence, paid a sum of Rs.5,00,000/- on 20.10.2023. Further, on the intimation of the defacto complainant the complaint was lodged by the Special Tahsildar, Adi Dravidar Welfare Department, Sivagangai and as such an FIR was registered in crime No.588 of 2023 dated 04.11.2023. Thereafter the investigation was transferred to the respondent police and that the present FIR was registered. Hence, the apprehension of arrest. Hence, a case has been



Crl.OP.(MD)No.3368 of 2025

registered as against the petitioner.

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3. The case of the petitioner is that she was recruited in Revenue Department as Junior Assistant / Typist in the year 2002, rendered service in various capacities. Presently she is working as Personal Assistant to the District Supply Officer. The petitioner worked as Special Tahsildar in Adi Dravidar Welfare Department from 02.01.2023 to 31.06.2024. The said 1st accused worked as Senior Revenue Inspector under the petitioner till 31.07.2023. The petitioner states within 6 months from the date of joining of the post by the petitioner it was found and a committee was constituted where the said Seetha Priya made a statement owning full responsibilities on her without blaming others and as such paid a sum of Rs.5,00,000/-. Then during the course of investigation the involvement of Seetha Priya / 1st accused's husband and sister were found to the tune of Rs.2,35,37,468/-, wherein the Seetha Priya and her husband were taken into custody by respondent and their movables and immovables were recovered. During custody the said Seetha Priya had made confession statement without any basis against the Special Tahsildars under whom she had worked including the petitioner and the petitioner was implicated based on the confession of the said Seetha Priya. The learned Counsel appearing for the petitioner submitted that the petitioner has been



Crl.OP.(MD)No.3368 of 2025

falsely implicated in this case and he has not committed any offence. He seeks this Court to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioner are serious in nature. Further submitted that the petitioner had committed offences under SC/ST Act, hence Anticipatory Bail cannot be granted. And also submitted that the present application is third application. The respondent had also filed detailed counter.

5. It is seen that the petitioner had filed quash petition in Crl.O.P. (MD)No.18925 of 2024 and the same is pending. Another petition is filed in Crl.O.P.(MD)S.R.No.32367 of 2024 which is in SR Stage inter alia praying to direct the Special Court to consider the bail application on the very same day of surrender and the same is pending. Further it is seen that the 1st Anticipatory Bail application filed in Crl.O.P.(MD)No.16604 of 2024 was dismissed on the ground that the petitioner is higher authority. The 2nd Anticipatory Bail application filed in Crl.O.P.(MD)No.22022 of 2024 was dismissed with liberty to file fresh application.



Crl.OP.(MD)No.3368 of 2025

6. Furthermore, it is seen that the said 1st accused Seetha Priya and her husband were released on statutory bail in Crl.A.(MD)No.198 and 199 of 2024. One of the co-accused Anand who was arrayed as A5 was grand anticipatory bail. In the above circumstances the present anticipatory bail is considered.

7. The allegation against the petitioner is that she had not found the said crime when she was in duty. Being the higher official to the said Seetha Priya / 1st accused the petitioner is bound to found out the crime. On the face of the allegation, it is seen that the said allegation may amount to dereliction of duty. Further it is seen that the petitioner had initiated steps to found out the crime, then she took steps to form committee, then the committee had submitted a report about the crime. In such circumstances, the petitioner cannot be stated that she had committed the alleged crime.

8. Further it has become a routine to include the person as accused, who had entertained the doubt and took steps to book the real culprit under law. Such act would lead to as situation the genuine and integrity authority would refraining from reporting about the crime and they would be forced to make the loss from their pocket, which makes the real culprit to escape from the clutches of law.



Crl.OP.(MD)No.3368 of 2025

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9. The petitioner is facing allegation under Sections 3(1)(q), 3(2)(vii) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. The said sections are extracted hereunder:

"Section 3(1)(q) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;

Section 3(2)(vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence."

The above sections would not be attracted since the petitioner has taken steps to curb the injury committed by someone else.

10. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

11. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two



CrI.OP.(MD)No.3368 of 2025

sureties each for a like sum to the satisfaction of the Judicial Magistrate No.2, Sivagangai, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

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

[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 is 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].



Crl.OP.(MD)No.3368 of 2025

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

Section 269 of BNS.

10.11.2025

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TO

1.The Judicial Magistrate No.2,
Sivagangai.

2.The Inspector of Police,
District Crime Branch Police Station,
Sivagangai,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.



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Crl.OP.(MD)No.3368 of 2025

S.SRIMATHY,J

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ORDER
IN
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