

In the Court of Sessions, Tirunelveli Division
Before the Principal Sessions Judge, Tirunelveli.
PRESENT : **Thiru.N.VENKATAVARADAN, B.L.,**
PRINCIPAL SESSIONS JUDGE, TIRUNELVELI

Wednesday, the 01st day of July 2026.

Cr.M.P.No.2730/2026

(CNR No.TNTL 0100 5190 2026)

Vengatesh, S/o.Arthiyappan.

...Petitioner/Accused.

/Versus /

State: The Inspector of Police,
Vigilance and Anti Corruption P.S
Cr.No.02/2026.

...Respondent/Complainant.

Petition dated:19.06.2026 filed U/s. 483 of BNSS prays to grant bail.

This petition is coming on this day for hearing before me, in the presence of
THIRU.J.PRAKASH RAJ, Advocate for the petitioner and
TMT.M.BHARATH RATHNA, the Public Prosecutor for the respondent and upon
hearing both sides arguments, this Court passed the following :

ORDER

The learned counsel filed a Memo to correct the offence under Section 12 of Prevention of Corruption Act instead of 7(a) and 12 of Prevention of Corruption Act in the bail petition filed by him. By recording the same, the above section is corrected.

The petitioners/accused were arrested and remanded to judicial custody on 03.06.2026, for the alleged offences under Sections.12 of Prevention of Corruption Act, registered by the respondent police seeks bail.

Averments of the petition in brief as follows:-

The petitioner states that the respondent police registered the case as against the petitioner and another in Cr.No.2/2026 under section 12 of Prevention of Corruption Act. The occurrence is said to have been taken place on 02.06.2026 and the matter was reported and FIR was registered on 03.06.2026. The petitioner herein was arrested on 03.06.2026. Totally there are two accused in this FIR. The petitioner was arrayed as A2. The petitioner is innocent and was being falsely implicated in this

case. As per the allegations in the FIR the complainant and his wife are running a company named siva sakthi finance and when she approached the 1st accused, she demanded Rs.10,000/- for renewing the license of the said company. Further, on 03.06.2026, the 1st accused received the said sum of Rs.10,000/- as bribe through the 2nd accused. The petitioner was falsely implicated in this case. The petitioner was not involved in this case. He is a temporary staff of the VAO office cheranmahadevi. The petitioner is personally taking care of 70 year old mother, who is in poor health condition and unable to take care of herself. The petitioner is also suffering from mental health issue, piles, heart related problems etc., The petitioner is a unnamed accused in this case. No previous case and allegations for this petitioner. There is no audio evidence or telephone record to show that the petition received money. The allegations are purely based on assumptions and presumptions. The defacto complainant's wife is carrying on money lending transactions with exorbitant interest through a concern called siva sakthi finance. There were already money lending transaction between the defacto complainant and the petitioner. Taking advantage of the petitioner's poor financial conditions, false allegations have been leveled against him and he is falsely implicated in this case. The petitioner is ready to abide by any conditions. Therefore, seeks to enlarge him on bail.

The objections of the public prosecutor in brief as follows:-

The investigation of this case is in premature stage. Important records relating to the case the application filed of the complainant and the connected registers are yet to be collected from the Taluk office, Cheranmahadevi. The accused Tmt.C.Ithayakani (A1), VAO demanded and instructed the complainant to give the bribe amount to one private individual Tr.A.Vengatesh (A2), who is standing near to her. Tr.A.Vengatesh (A2) accepted Rs.10,000/- from the complainant on the instruction of Tmt.C.Ithayakani (A1) at 12.55 hrs in the presence of the official witness Tr.R.Gowthamaraj, Agriculture officer, Pesticides Testing lab, Palayamkottai. Tr.A.Vengatesh (A2) received the bribe amount of Rs.10,000/- by his right hand, counted it using both hands and kept the same in his right side pant front pocket. Later, Tmt.C.Ithayakani (A1) received her part amount of Rs.5,000/- from

Tr.A.Vengatesh (A2) and counter it using her both hands and placed the bribe amount in her lap. Tmt.C.Ithayakani (A1) left the remaining amount of Rs.5,000/- with Tr.A.Vengatesh (A2) for giving the same to Revenue Inspector, Cheranmahadevi. If the accused is released on bail, he will hamper with the investigation of the case by tampering the witnesses and records. So far 5 witnesses have been examined and one document was collected. Requisitions have been given for the chemical analysis of 6 bottles containing the resultant solutions which were seized during the trap proceedings. In these, circumstances the gravity of the offences which is an act against the public interest and social system, this court may be pleased to reject the plea of this petitioner. The accused is a private individual and is known to be the person organizing, abetting, assisting in this nature of obtaining bribe.

The point for consideration is: Whether the petitioner is entitled to the relief of Bail as prayed for?

Point: Heard both sides. The petitioner is alleged to have abetted the 1st accused namely the VAO of cheranmahadevi, Tmt.C.Ithayakani in receiving a sum of Rs.10,000/- and giving the sum of Rs.5,000/- to the VAO as her share and thereby abetted the offence of section 12 of Prevention of Corruption Act. The occurrence is said to have taken place on 02.06.2026 at about 12.55 hrs and trap was laid by the respondent police by following the procedures as prescribed in the Act and practice adopted by the respondent department in these types of cases. Further, the solution are also brought before this court in order to substantiate the alleges receipt of money by A1 and A2. When the petitioner pleads innocence and not involved in the commission offence, respondent objected the same and stated the the petitioner is involving in the act of co-operating the corruption activities in the public offices. He is said to have been organizing, abetting, assisting the government officials in receiving the money and thereby committed the offences. Therefore, while considering the petition on merits, this court finds prima facie. But at the same time the petitioner contended that he has aged old mother and has to be taken care by the petitioner. Further, the petitioner also alleges that the defacto complainant's wife is carried out money lending transactions and petitioner also availed money and there

were previous transactions between the defacto complainant and the petitioner. Though these allegations were made by the petitioner herein, these facts can be pleaded only in the defense of the main case. As far as the allegations in this case raised, a trap is laid as there is a complaint regarding demand of bribe for doing a particular official duty by A1 and for which demands A2 is said to have assisted. These facts and allegations are substantiated by the prosecution by this moment. Therefore at this point of time in considering the request of the petition seeking bail these thing cannot be gone into detail without there being any nexus in the main allegations. Further, the petitioner also contended that he is ready to abide by any conditions and co-accused was already released on bail by this court. This court released the co-accused on bail only on considering the two years old child for the 1st accused, who need the mother care and therefore the said bail application was considered. In these circumstances the Public Prosecutor also considered that when the co-accused was released on bail considering the applicability of pari materia principle has not raised any serious objections in granting bail to the petitioner herein. Therefore, upon consideration of these circumstances, this court is inclined to grant bail to petitioner subject to the following conditions.

- i) that the petitioner is ordered to be enlarged on bail on executing his bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the Principal Session Judge, Tirunelveli.
- ii) that 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;
- iii) **that the petitioner shall report and sign before the respondent police daily twice at 10.00 a.m., and 06.00 p.m., until further orders** and further respondent police is directed to submit the report, deviations if any committed by the petitioner in observing the above condition. On further condition that he shall make available himself for interrogation as and when required by the investigation Officer ;
- iv) that the petitioner shall not tamper with evidence or witness either during investigation or trial;

- v) that the petitioner shall not abscond either during investigation or trial ;
- vi) that 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) ;
- vii) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 BNS.

Pronounced by me in open court, this the 01st day of July 2026.

PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.

Copy To:-

The Public Prosecutor, Tirunelveli.

The Inspector of Police, Vigilance and Anti Corruption P.S

The Superintendent, Central Prison, Palayamkottai.

The Counsel for petitioner.