



Crl.A.(MD)Nos.994 to 1019 and 1076 of 2025

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Reserved on : 15.10.2025

Pronounced on : 30.10.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.A.(MD)Nos.994 to 1019 and 1076 of 2025

G.Karthik Manikandan	... Appellant in Crl.A.(MD) No.994 of 2025
V.R.Vasudevan	... Appellant in Crl.A.(MD) No.995 of 2025
M.Ranjith	... Appellant in Crl.A.(MD) No.996 of 2025
R.Latha	... Appellant in Crl.A.(MD) No.997 of 2025
R.Ravichandran	... Appellant in Crl.A.(MD) No.998 of 2025
B.T.Deeraj	... Appellant in Crl.A.(MD) No.999 of 2025
R.Vignesh	... Appellant in Crl.A.(MD) No.1000 of 2025
B.Jeganathan	... Appellant in Crl.A.(MD) No.1001 of 2025



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P.Sethumani

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... Appellant in Crl.A.(MD)
No.1002 of 2025

S.Indira

... Appellant in Crl.A.(MD)
No.1003 of 2025

M.Bommanasamy

... Appellant in Crl.A.(MD)
No.1004 of 2025

1.P.T.Thiraviam

2.R.Seenivasan

... Appellants in Crl.A.(MD)
No.1005 of 2025

1.Sathishkumar

2.Roop Shanmugam

... Appellants in Crl.A.(MD)
No.1006 of 2025

T.Sachithanantham

... Appellant in Crl.A.(MD)
No.1007 of 2025

1.S.R.Balamurugan

2.S.R.Saravanan

... Appellants in Crl.A.(MD)
No.1008 of 2025

J.Vijayalakshmi

... Appellant in Crl.A.(MD)
No.1009 of 2025

M.Saroja

... Appellant in Crl.A.(MD)
No.1010 of 2025

R.Vijayasimman

... Appellant in Crl.A.(MD)
No.1011 of 2025

S.Ranjitham

... Appellant in Crl.A.(MD)
No.1012 of 2025



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T.Pradeepkumar

... Appellant in Crl.A.(MD)
No.1013 of 2025

T.Vasudha

... Appellant in Crl.A.(MD)
No.1014 of 2025

1.J.Nagalakshmi

2.J.Gowtham Babu

3.A.Balamurugan

... Appellants in Crl.A.(MD)
No.1015 of 2025

S.Indu Meena

... Appellant in Crl.A.(MD)
No.1016 of 2025

G.Velusamy

... Appellant in Crl.A.(MD)
No.1017 of 2025

K.Sangeetha

... Appellant in Crl.A.(MD)
No.1018 of 2025

S.Manikandan

... Appellant in Crl.A.(MD)
No.1019 of 2025

P.Soosai Arul

... Appellant in Crl.A.(MD)
No.1076 of 2025

Vs.

1.The State of Tamilnadu represented by
The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Trichy.
(Crime No.6 of 2001)

2.V.Janakiraman

3/24



CrI.A. (MD) Nos. 994 to 1019 and 1076 of 2025

3.Vasanthi
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... Respondents in all the
appeals

Common Prayer : These Criminal Appeals filed under Section 498 B.N.S.S., to call for the records of the judgment dated 25.04.2024 in Special Case No.91 of 2011 on the file of the learned Special Judge for Trial of cases under Prevention of Corruption Act, Tiruchirappalli in Crime No.6 of 2001 on the file of the respondent police and set aside the portion of order directing confiscation of the property of the appellants / third parties in Old Survey No.1044/2, 3, Sub Division Survey No. 1044/61, New Sub Division Survey No.1044/61G, 62C, in Plot No.14, an extent of 2375 Sq Feet of land; Old Survey No.1029, Sub Division Survey No.1029/1B1A, 1029/1A, New Sub Division Survey No.1029/3, an extent of 4994 Sq. feet of house site; Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, in Plot No.10, an extent of 2400 Sq. feet of land and building; Old Survey No.1044/2, 3, Sub Division Survey No. 1044/61 and 62, New Sub Division Survey No.1044/156 in Plot No.53, an extent of 2400 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/3A1B, New Sub Division Survey No.1044/35 in Plot No. 11, an extent of 2760 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No. 1044/144, 145, 150, 149, 147, 148 and 146 in Plot No.58, 59, 61, 62 and 37, an extent of 2400 Sq. feet, 2375 Sq. ft., 2375 Sq. ft., 2400 Sq. ft., 3587 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No. 1044/61, 62, New Sub Division Survey No.1044/155 in Plot No.47, an extent of 600 Sq. feet, of land; Old Survey No.1044/2 and 3, Sub Division



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Survey No.1044/61, 62, New Sub Division Survey No.1044/61B, 61C in Plot No.25 and 26, an extent of 600 Sq. feet and 600 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/121, in Plot No.39, an extent of 2515 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No. 1044/61 and 62, New Sub Division Survey No.1044/122, in Plot No.12, an extent of 2375 Sq. feet of land and building; Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No. 1044/62A2 in Plot No.46, 47 and 54, an extent of 3600 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/62, New Sub Division Survey No.1044/176, in Plot No.16, an extent of 2400 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/62A1, New Sub Division Survey No.1044/159, in Plot No.1, an extent of 2787 Sq. feet of land; Old Survey No.1044/2, Sub Division Survey No. 1044/2B1A, New Sub Division Survey No.1044/50 in Plot No.13, an extent of 1935.84 Sq. feet of land and building; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No. 1044/129, in Plot No.38, an extent of 3060 Sq. feet of land; Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61, 62, New Sub Division Survey No.1044/61D, 61E, 61F in Plot No.22, 23 and 24, an extent of 575 Sq. feet, 600 Sq. feet and 600 Sq. feet of land; Old Survey No.1044/2, Sub Division Survey No.1044/2B1A, New Sub Division Survey No. 1044/2B5A in Plot No.17 and 18, an extent of 4883.20 Sq. feet of land and building; Old Survey No.1044/2 and 3, New Sub Division Survey No. 1044/3D2, in Plot No.A37, an extent of 1908 Sq. feet of land and building; Old Survey No.1044/2, 3, Sub Division Survey No.1044/42 in Plot No.8,



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an extent of 3630 Sq. feet of land and building; Old Survey No.1044/2, Sub Division Survey No.1044/168, in Plot No.12, an extent of 1090 Sq. feet of land; Old Survey No.1044/2, 3, Sub Division Survey No. 1044/2B1A, 2B5A, New Sub Division Survey No.1044/88 in Plot No.9, 10 and 11, an extent of 14.56 cents of land; Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No. 1044/158, in Plot No.56, an extent of 1770 Sq. feet of land and building; Old Survey No.1044/2, Sub Division Survey No.1044/41, in Plot No.5, an extent of 3166 Sq. feet of land and building; Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No. 1044/140 in Plot No.13, an extent of 2400 Sq. feet of land and building; Old Survey No.1044/2 and 3, New Survey Division Survey No.1044/164, in Plot No.22, an extent of 1837 Sq. feet of land; Old Survey No.1044/2, Sub Division Survey No.1044/56 in Plot No.12, an extent of 3440 Sq. feet of land and building and Old Survey No.1044/2, 3, Sub Division Survey No.1044/2B1A, 2B5A, New Sub Division Survey No.1044/52 in Plot No. 3 an extent of 9.25 cents admeasuring 4033 Sq. feet of land and building respectively in Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

(in all the appeals)

For Appellants : Mr.T.Lajapathi Roy, Senior Counsel
for M/s.Roy and Roy Associates

For Respondents : Mr.S.Ravi
Additional Public Prosecutor for R1



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COMMON JUDGMENT

These Criminal Appeals are directed against the portion of the judgment made in Special Case No.91 of 2011 dated 25.04.2024 on the file of the Special Court for Trial of cases under Prevention of Corruption Act, Tiruchirappalli, confiscating the properties belonging to the appellants.

2. Criminal Appeal in Crl.A.(MD)No.994 of 2025 is against the order confiscating the property to the extent of 2375 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/61, New Sub Division Survey No.1044/61G, 62C, in Plot No.14 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

3. Criminal Appeal in Crl.A.(MD)No.995 of 2025 is against the order confiscating the property to the extent of 4994 sq. ft. in Old Survey No.1029, Sub Division Survey No.1029/1B1A, 1029/1A, New Sub Division Survey No.1029/3 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.



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4. Criminal Appeal in Crl.A.(MD)No.996 of 2025 is against the order confiscating the property to the extent of 2400 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, in Plot No.10 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

5. Criminal Appeal in Crl.A.(MD)No.997 of 2025 is against the order confiscating the property to the extent of 2400 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/156 in Plot No.53 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

6. Criminal Appeal in Crl.A.(MD)No.998 of 2025 is against the order confiscating the property to the extent of 2760 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/3A1B, New Sub Division Survey No.1044/35 in Plot No.11 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

7. Criminal Appeal in Crl.A.(MD)No.999 of 2025 is against the order confiscating the property to the extent of 2400 sq. ft., 2375 sq. ft.,



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2375 sq. ft., 2400 sq. ft. and 3587 sq. ft., in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No. 1044/144, 145, 150, 149, 147, 148 and 146 in Plot No.58, 59, 61, 62 and 37 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

8. Criminal Appeal in Crl.A.(MD)No.1000 of 2025 is against the order confiscating the property to the extent of 600 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61, 62, New Sub Division Survey No.1044/155 in Plot No.47 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

9. Criminal Appeal in Crl.A.(MD)No.1001 of 2025 is against the order confiscating the property to the extent of 600 sq. ft. and 600 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61, 62, New Sub Division Survey No.1044/61B, 61C in Plot No.25 and 26 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

10. Criminal Appeal in Crl.A.(MD)No.1002 of 2025 is against the order confiscating the property to the extent of 2515 sq. ft. in Old Survey



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No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/121, in Plot No.39 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

11. Criminal Appeal in Crl.A.(MD)No.1003 of 2025 is against the order confiscating the property to the extent of 2375 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/122, in Plot No.12 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

12. Criminal Appeal in Crl.A.(MD)No.1004 of 2025 is against the order confiscating the property to the extent of 3600 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/62A2 in Plot No.46, 47 and 54 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

13. Criminal Appeal in Crl.A.(MD)No.1005 of 2025 is against the order confiscating the property to the extent of 2400 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/62, New Sub Division



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Survey No.1044/176, in Plot No.16 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

14. Criminal Appeal in Crl.A.(MD)No.1006 of 2025 is against the order confiscating the property to the extent of 2787 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/62A1, New Sub Division Survey No.1044/159, in Plot No.1 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

15. Criminal Appeal in Crl.A.(MD)No.1007 of 2025 is against the order confiscating the property to the extent of 1935.84 sq. ft. in Old Survey No.1044/2, Sub Division Survey No.1044/2B1A, New Sub Division Survey No.1044/50 in Plot No.13 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

16. Criminal Appeal in Crl.A.(MD)No.1008 of 2025 is against the order confiscating the property to the extent of 3060 sq. ft. in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/129, in Plot No.38 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.



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17. Criminal Appeal in Crl.A.(MD)No.1009 of 2025 is against the order confiscating the property to the extent of 575 sq. ft., 600 sq. ft. and 600 sq. ft. (vide 3 sale deeds) in Old Survey No.1044/2 and 3, Sub Division Survey No.1044/61, 62, New Sub Division Survey No.1044/61D, 61E, 61F in Plot No.22, 23 and 24 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

18. Criminal Appeal in Crl.A.(MD)No.1010 of 2025 is against the order confiscating the property to the extent of 4883.20 sq. ft. in Old Survey No.1044/2, Sub Division Survey No.1044/2B1A, New Sub Division Survey No.1044/2B5A in Plot No.17 and 18 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

19. Criminal Appeal in Crl.A.(MD)No.1011 of 2025 is against the order confiscating the property to the extent of 1908 sq. ft. in Old Survey No.1044/2 and 3, New Sub Division Survey No.1044/3D2, in Plot No.A37 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

20. Criminal Appeal in Crl.A.(MD)No.1012 of 2025 is against the



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order confiscating the property to the extent of 3630 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/42 in Plot No.8 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

21. Criminal Appeal in Crl.A.(MD)No.1013 of 2025 is against the order confiscating the property to the extent of 1090 sq. ft. in Old Survey No.1044/2, Sub Division Survey No.1044/168, in Plot No.12 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

22. Criminal Appeal in Crl.A.(MD)No.1014 of 2025 is against the order confiscating the property to the extent of 14.56 cents in Old Survey No.1044/2, 3, Sub Division Survey No.1044/2B1A, 2B5A, New Sub Division Survey No.1044/88 in Plot No.9, 10 and 11 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

23. Criminal Appeal in Crl.A.(MD)No.1015 of 2025 is against the order confiscating the property to the extent of 1770 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/158, in Plot No.56 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.



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24. Criminal Appeal in Crl.A.(MD)No.1016 of 2025 is against the order confiscating the property to the extent of 3166 sq. ft. in Old Survey No.1044/2, Sub Division Survey No.1044/41, in Plot No.5 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

25. Criminal Appeal in Crl.A.(MD)No.1017 of 2025 is against the order confiscating the property to the extent of 2400 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/61 and 62, New Sub Division Survey No.1044/140 in Plot No.13 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

26. Criminal Appeal in Crl.A.(MD)No.1018 of 2025 is against the order confiscating the property to the extent of 1837 sq. ft. in Old Survey No.1044/2 and 3, New Survey Division Survey No.1044/164, in Plot No. 22 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

27. Criminal Appeal in Crl.A.(MD)No.1019 of 2025 is against the order confiscating the property to the extent of 3440 sq. ft. in Old Survey No.1044/2, Sub Division Survey No.1044/56 in Plot No.12 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.



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28. Criminal Appeal in Crl.A.(MD)No.1076 of 2025 is against the order confiscating the property to the extent of 4033 sq. ft. in Old Survey No.1044/2, 3, Sub Division Survey No.1044/2B1A, 2B5A, New Sub Division Survey No.1044/52 in Plot No.3 of Vilpatti Village, Attuvampati, Kodaikanal Taluk, Dindigul District.

29. The appellants are third parties to the proceedings in Special Case No.91 of 2011. The first respondent police registered a case in Crime No.6 of 2001 as against the respondents 2 and 3 and after investigation, charge sheet came to be filed and the same was taken on file in Special Case No.91 of 2011 on the file of the Special Court for Trial of cases under Prevention of Corruption Act, Tiruchirappalli, for the offences under Section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act and under Section 109 IPC. After trial, the learned Special Judge passed the impugned judgment dated 25.04.2024 convicting the second respondent for the offence under Section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act and the third respondent for the offence under Section 109 IPC r/w 13(1)(e) r/w 13(2) of the Prevention of Corruption Act and sentenced them to undergo rigorous imprisonment for five years and to



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pay a fine of Rs.10,000/-, in default to undergo simple imprisonment for six months. The learned Special Judge, in the impugned judgment, has passed property order confiscating the properties belonging to the respondents 2 and 3, which includes the properties, subject matter of the appeals now under consideration. Challenging the order confiscating the properties, the present appeals came to be filed.

30. The main contention of the appellants is that the appellants had no connection whatsoever with the respondents 2 and 3 and they purchased the properties now under confiscation from the subsequent purchasers.

31. The learned Senior Counsel appearing for the appellants would refer the particulars relating to the first appeal in Crl.A.(MD)No.994 of 2025, wherein, the property admeasures 2375 sq. ft. in New Sub Division No.1044/61G, 62C in Plot No.14 at Vilpatti Village, Kodaikanal Taluk, Dindigul District was sold to the third respondent by one Ramani and another in the year 1991, who in turn, sold the same to Suja Investments, who in turn, sold to B.T.Deeraj and others, who in turn, sold the said



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property to the appellant and that in a similar way, other appellants had purchased their properties from the subsequent purchasers.

32. The learned Senior Counsel appearing for the appellants would further contend that in two appeals in Crl.A.(MD)Nos.999 of 2025 and 1004 of 2025, the appellants and others purchased the properties from Suja Investments and Estates and thereafter, the appellants and the joint owners entered into a partition deed, whereunder, the properties referred therein were allotted to the share of the appellants. He would mainly contend that after some transactions, the properties came to be purchased by the appellants and not directly from the respondents 2 and 3.

33. The learned Senior Counsel appearing for the appellants would submit that in a similar appeal in Crl.A.(MD)No.869 of 2025 filed by two persons, namely, Bose Kottamuthu and Kalaimani, who are also third parties to the proceedings in Special Case No.91 of 2011, have also challenged the order confiscating their properties and a learned Judge of this Court, considering all the aspects, passed a judgment dated 14.08.2025 remitting the matter back to the learned Special Judge to



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consider the matter afresh and pass appropriate orders in respect of the properties confiscated, after giving an opportunity to the appellants therein, accused and the prosecution.

34. The learned Senior Counsel appearing for the appellants would further contend that following the said judgment dated 14.08.2025, this Court in a similar appeal in Crl.A.(MD)No.961 of 2025, setting aside the confiscation order passed against the appellant therein and remitted the matter back to the Special Court for considering the matter afresh. He has produced the copies of the judgments passed in the above two appeals.

35. The learned Additional Public Prosecutor appearing for the first respondent police would submit that after the confiscation order has been communicated to the Inspector General of Registration, some of the appellants have purchased the properties subsequent to the judgment made in Special Case No.91 of 2011.

36. The learned Additional Public Prosecutor appearing for the first respondent police would submit that in Crl.A.(MD)Nos.996, 1006, 1011,



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1012, 1013, 1018 and 1019 of 2025, sale deeds came to be executed subsequent to the judgment passed in Special Case No.91 of 2011 on 25.04.2024.

37. As rightly pointed out by the learned Senior Counsel appearing for the appellants, the above said plea was also taken in the appeal in Crl.A.(MD)No.869 of 2025 and the learned Judge, by observing that all the factual matters are to be dealt with by the learned trial Judge in order to make a fair appreciation of the appellants' claim and their bona fideness in purchasing the properties in question, has set aside the confiscation order, in which the appellants therein, are interested. It is necessary to refer the relevant passages in the said judgment hereunder;

“7. However, the learned counsel for the appellants submitted that the Sub-Registrar himself has received the communication from the Inspector General of Registration only on 02.03.2025 and the appellants have purchased the property much earlier on 19.09.2024 and hence, their purchase was without the knowledge about the order of confiscation.

8. Considering the aforesaid submissions, this Court is of the view that all these factual matters are to be dealt by



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the learned trial Judge in order to make a fair appreciation of the appellants' claim and their bona fideness in purchasing the property in question. As the appellants were not given any opportunity at the time when the order of confiscating the property now claimed by them and the appellants have alleged that they have purchased bona fide from the vendor, without knowing the confiscation order, I feel it is appropriate to set aside the confiscation order, in which the appellants are interested. It is submitted that the property in question now falls under Sl.Nos.26 and 27, which include the entire extent, including the portion claimed by the appellants.”

38. Considering the facts and circumstances and taking note of the submissions made on either side, this Court is in entire agreement with the decision of the learned Judge of this Court.

39. The learned Senior Counsel appearing for the appellants would raise a new plea that Section 18A of the Prevention of Corruption Act, which deals with attachment and forfeiture of properties, has been incorporated by the amendment of Prevention of Corruption Act, 1988 and the said amendment came into effect from 26.07.2018 but the check period



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for the present case was between 01.04.1989 and 31.12.1993 and the case came to be registered in 2001 and charge sheet was laid in 2007 and that therefore, the learned Special Judge has absolutely no power or jurisdiction to pass confiscation order.

40. The learned Senior Counsel appearing for the appellants would rely on a decision of a two-judge bench of the Hon'ble Supreme Court in ***State of Rajasthan Vs. Tejmal Choudhary*** reported in ***2022 LiveLaw (SC) 158***, wherein, the Hon'ble Apex Court has held that Section 17A of the Prevention of Corruption Act, which has been incorporated by the amendment of the Prevention of Corruption Act, 1988, does not have retrospective operation and by citing the above, would submit that Section 18A of the Prevention of Corruption Act, which was also brought by the same amendment does not have retrospective effect and as such, the impugned property orders cannot be sustained.

41. As rightly pointed out by the learned Additional Public Prosecutor, in ***Nara Chandrababu Naidu Vs. The State of Andhra Pradesh and another*** in ***Special Leave to Appeal (Criminal) No.12289 of***



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2023 dated 16.01.2024, two learned Judges of the Hon'ble Supreme Court had taken a different view on interpretation of Section 17A of the Prevention of Corruption Act and referred the matter for the Constitution of a Larger Bench and that subsequently in the case of ***B.S Yeddiyurappa Vs. A Alam Pasha and others*** reported in ***2025 LiveLaw (SC) 450***, a two-judge bench of the Hon'ble Supreme Court, considering the pendency of the reference in ***Manju Surana Vs. Sunil Arora and others*** reported in ***(2018) 5 SCC 557*** and also taking note of the reference made in ***Nara Chandrababu Naidu's*** case referred above, directed the Registry to tag the said matter along with the other matters referred and that the above issue is now pending before the Larger Bench of the Hon'ble Supreme Court. It is pertinent to note that the above decisions are with respect to the interpretation of Section 17A of the Prevention of Corruption Act.

42. The learned Senior Counsel appearing for the appellants would submit that since there is no direct decision as to whether Section 18A of the Prevention of Corruption Act is retrospective in operation, the same may also be left open to be decided by the learned Special Judge. As rightly contended by the learned Senior Counsel appearing for the



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appellants, the issue is left open for the learned Special Judge to decide.

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43. In view of the above, this Court is inclined to allow the appeals and thereby setting aside the property order made in Special Case No.91 of 2011 dated 25.04.2024 by the learned Special Judge, Special Court for Trial of cases under Prevention of Corruption Act, Tiruchirappalli.

44. In the result, these Criminal Appeals are allowed and the impugned property order dated 25.04.2024 made in Special Case No.91 of 2011 by the learned Special Judge, Special Court for Trial of cases under Prevention of Corruption Act, Tiruchirappalli, is hereby set aside. The matter is remitted back to the learned Special Judge to consider the matter afresh and pass appropriate orders in accordance with law, after affording opportunities to the appellants herein, accused and the prosecution.

30.10.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
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Crl.A. (MD)Nos.994 to 1019 and 1076 of 2025

K.MURALI SHANKAR,J.

csn

To

- 1.The Special Judge,
Special Court for Trial of cases under Prevention of Corruption Act,
Tiruchirappalli.
- 2.The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Pre-Delivery Common Judgment made in
Crl.A.(MD)Nos.994 to 1019 and 1076 of 2025

Dated : 30.10.2025