



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL RC No. 1374 of 2026

WEB COPY

G.Santhi
W/o. Pandurangan,
Door No.31-A-Ranga Nagar,
Suramangalam,
Salem-636 005.

..Petitioner(s)

Vs

The State rep by Inspector of Police
Vigilance and Anti-Corruption,
Salem District.
(Crime No.4/AC/2023)

..Respondent(s)

Prayer: Criminal Revision Case filed under Section 397 r/w 401 of Cr.P.C/Section 438 of BNSS, 2023, to set aside the impugned order dated 26.05.2026 passed in Crl.M.P.No. 45 of 2026 in Spl.C.C.No.04/2025 on the file the Special Court for the cases under Prevention of Corruption Act, Salem, Consequently to allow the same and to pass such further or other orders as this Honble Court may deem fit and proper and thus render Justice.

For Petitioner(s):

Mr.N.U.Pressanna

For Respondent(s):

Mr.R.Ganesh Kumar,
Counsel for Government of Tamilnadu,
(Crl.Side)
Assisted by Mohammed Imran A



ORDER

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This Criminal Revision Case has been filed to set aside the impugned order dated 26.05.2026 passed in Crl.M.P. No. 45 of 2026 in Spl.C.C. No. 04 of 2025 on the file of the Special Court for Cases under the Prevention of Corruption Act, Salem, whereby the petition filed for return of the property was dismissed.

2. The brief facts of the case of the prosecution is that the Petitioner herein, is a District Manager of Tamil Nadu Adi-Dravidar Housing Development Corporation at Erode District, described as Public Servant within the definition under Section 2(c) of the Prevention of Corruption Act. While she was also in-charge for the Salem District, one Tr.S.Kumar, S/o.Sevathan of Salem District who is an agriculturist by profession approached the Office of this petitioner on 24.05.2023 for buying Tractor under Self Employment Program for Youth and met one Santhi(A2) who happens to be a Record Clerk and enquired with her about the procedures for buying Tractor. Subsequently, the said Kumar successfully applied avail under the scheme thorough on-line on 29.05.2023. Thereafter he visited the office on 08.06.2023 for document verification and for personal interview. During such verification, it was found that the said Kumar already obtained loan for purchasing cattle further on the



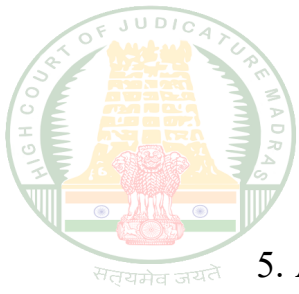
ground that the quotation was not in original, his application was duly rejected.

However, the said Santhi (A2) informed to him that this petitioner who is a

District Manager can help him for sanctioning of 50% subsidy amount of Rs.3,75,000/- on payment of Rs.20,000/- as illegal gratification. When he conveyed his inability to pay the same, the said Santhi (A2) instructed him to pay Rs.10,000/- as initial amount and to pay the remaining amount of Rs.10,000/- at the time of giving Form-3 and further instructed him to come to TAHDO Office on 10.06.2023. Thereafter, the said demand amount was reduced to Rs.15,000/-. However, the said Kumar not willing to pay any bribe for such process approached the respondent police on 15.06.2023 and lodged a complaint which was registered in the above crime number.

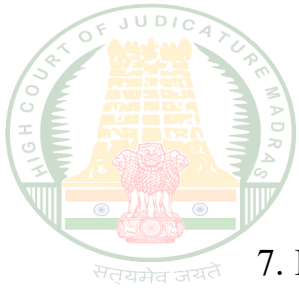
3. Thereafter trap proceedings was arranged by the respondent police on 15.06.2023, wherein the petitioner demanded and accepted a sum of Rs.15,000/- from the said Kumar through said Santhi(A2) i.e., Record Clerk thereby committed offence punishable under Section 7(a) of the Prevention of Corruption Act, 1988 as amended by the Act 16 of 2018.

4. Heard both sides and perused the materials available on records.



5. A perusal of records reveals that during the trap proceedings, a sum of Rs.20,000/- was also recovered from the first accused. Since the first accused was found in possession of Rs.20,000/- without disclosing any source for the same and failed to produce any records to substantiate his possession of the said amount on the date of the trap, i.e., 15.06.2023, the said amount was also seized. After completion of the investigation, the respondent filed the final report, and the same has been taken cognizance of by the Special Court for Cases under the Prevention of Corruption Act, Salem. in Spl.C.C. No. 04 of 2025.

6. Even according to the prosecution, the tainted amount was only Rs.15,000/-. As directed by the first accused, the second accused received the tainted money. The second accused was caught red-handed, and the tainted amount of Rs.15,000/- was recovered from him. However, the first accused was also found in possession of Rs.20,000/-, which was seized by the respondent on the ground that she failed to produce any records to establish the source or lawful possession of the said amount. However, the said amount of Rs.20,000/- does not form part of any charge. Even according to the prosecution, the demand was only for Rs.15,000/-, and the trap was also laid with the tainted amount of Rs.15,000/-.



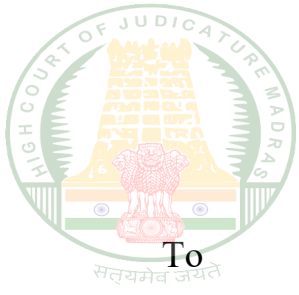
7. In view of the above, retaining the sum of Rs.20,000/- serves no useful purpose, as the said amount is not connected with the charges framed against the petitioner. Accordingly, the impugned order dated 26.05.2026 passed in Crl.M.P. No. 45 of 2026 in Spl.C.C. No.04 of 2025 on the file of the Special Court for Cases under the Prevention of Corruption Act, Salem, is hereby set aside.

8. Accordingly, this Criminal Revision Case is allowed. The respondent is directed to return the sum of Rs.20,000/- to the petitioner, subject to proper identification and acknowledgment. It is made clear that any of the observations made by this Court in this order are confined only to the disposal of this revision and shall not influence the trial Court while deciding the case on merits, in accordance with law.

07-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VV



To

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1. The Special Court for the cases under Prevention of Corruption Act, Salem,
2. The Inspector of Police, Vigilance and Anti-Corruption, Salem District.
3. The Public Prosecutor, High Court of Madras, Chennai



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G.K.ILANTHIRAIYAN, J.

VV

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