

Crl.R.C.(MD)Nos.542 and 533 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 17.07.2026

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.R.C.(MD)Nos.542 and 533 of 2026

and

Crl.M.P.(MD)No.s6877 and 6406 of 2026

Balasubramanian

... A1/ Petitioner in
Crl.R.C.(MD)No.542/2026

Ras @ T.S.Mahadeva Rao

... A2 / petitioner in
Crl.R.C.(MD)No.533/2026

Vs

1. State of Tamil Nadu rep. by
The Inspector of Police,
Vigilance and Anti-Corruption
Police Station,
Thanjavur District.

2.The Director,
Forensic Science Department
(Government of Tamil Nadu),
Forensic House,
Kamarajar Salai, Mylapore,
Chennai – 600 004.

3. The Deputy Director,
Regional Forensic Science Laboratory,
Madurai-625 020.

(R2 and R3 are suo motu impleaded
by order dated 05.06.2026)

... Respondents in both cases



Crl.R.C.(MD)Nos.542 and 533 of 2026

WEB COPY Criminal Revision Cases filed under Section 438 r/w. Section 442 BNSS, to call for the records of the impugned order dated 12.03.2026 in Crl.M.P.No.6638 of 2025 in Spl.S.C.No.75 of 2025 passed by the learned Principal Sessions Judge, Thanjavur and set aside the same by allowing the revision petitions.

For Petitioner in
Crl.R.C.(MD)No.542/2026 : Mr.V.Rajiv Rufus
For Petitioner in
Crl.R.C.(MD)No.533/2026 : Mr.O.R.Gokul Abimanyu
For Respondent
in both cases : Mr.A.Robinson,
Counsel for State of Tamil Nadu
(Crl. Side)

COMMON ORDER

The revision petitioners are accused Nos.1 and 2, facing trial before the Principal Sessions Court, Thanjavur, in Spl.S.C.No.75 of 2025 for the offences punishable under Section 7 of the Prevention of Corruption Act. The 1st accused, a Block Development Officer and the 2nd accused, an Assistant in a Panchayat Union Office, were arrested on a trap that they have demanded a sum of Rs.5,000/- from the defacto complainant for approval of a layout and a case was registered in Cr.No.5 of 2020. Thereafter, they were granted bail on 11.11.2020. The



Crl.R.C.(MD)Nos.542 and 533 of 2026

respondent Vigilance and Anti-Corruption Department conducted investigation and filed the final report. The final report was taken on file by the learned Principal Sessions Judge, Thanjavur and the same is pending in Spl.S.C.No.75 of 2025. Pending the trial, on the application of the respondent/investigation agency that the petitioners/accused have attempted to influence the defacto complainant, the trial Court, based on the materials placed by the respondent/investigation agency, has cancelled the bail granted to the petitioners, by order dated 12.03.2026, in Crl.M.P.No.6638 of 2025. Challenging the same, these criminal revisions petitions have been filed.

2. The learned counsel appearing for the 1st accused/the petitioner in Crl.R.C.(MD)No.542 of 2026 submitted that there is no allegation as against the 1st accused and the 1st accused has never made any attempt to influence the defacto complainant. The allegation is only against the 2nd accused. However, the trial Court, without any allegations and averments, has unnecessarily cancelled the bail granted to the 1st accused in a mechanical manner.

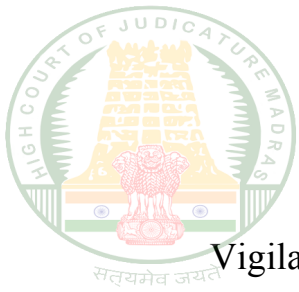


Crl.R.C.(MD)Nos.542 and 533 of 2026

3. The learned counsel for the 2nd accused/the petitioner in Crl.R.C.

(MD)No.533 of 2026 submitted that the petitioner was not furnished with the materials relied upon by the investigation officer before cancellation of bail. Based on a vague allegation made by the investigation agency, the trial Court has passed the impugned order, cancelling the bail granted to the 2nd accused, in a mechanical manner and without any basis. He further submitted that the bail cancellation petition was filed after five years from the date on which bail was granted to the petitioner. Apart from that, none of the witnesses turned hostile. He further submitted that all the independent witnesses have been examined and the official witnesses have to be examined and therefore, there is no need for cancellation of bail at this stage.

4. The learned Government Advocate (Crl. Side) submitted that a case in Cr.No.5 of 2020 has been registered based on the complaint of the defacto complainant, Naveen Kumar. The defacto complainant was examined in chief before the trial Court on 19.10.2023, however, the accused have not preferred for cross examining the witness. It is further submitted that the defacto complainant appeared before the respondent–



Crl.R.C.(MD)Nos.542 and 533 of 2026

Vigilance and Anti-Corruption Department on 11.03.2024 and alleged that the counsel for the accused had approached him and provided him with a questionnaire containing questions and answers, stating that he should depose before the Court during cross-examination in the manner suggested therein. Along with the questionnaire furnished by the accused, the defacto complainant also produced audio recordings on the conversations made between him and one Chandrasekar. Based on the complaint of the defacto complainant, the investigation agency has filed an application under Section 437(5) Cr.P.C. to cancel the bail already granted to the accused in Cr.No.5 of 2020. The trial Court appreciated the materials placed on record by the Vigilance and Anti-Corruption Department and cancelled the bail by impugned order dated 12.03.2026.

5. The learned Government Advocate (Crl. Side) submitted that the alleged questionnaire has also been forwarded for Handwriting Expert and the Handwriting Expert gave an opinion that the handwriting found in the document belongs to the counsel for the 2nd accused. Therefore, they have registered a case as against the counsel for the 2nd accused along with the 2nd accused in Cr.No.2 of 2026 dated 18.04.2026.

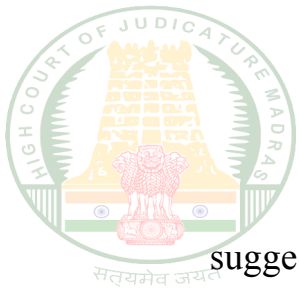


Crl.R.C.(MD)Nos.542 and 533 of 2026

Therefore, according to him, there was an attempt made to influence the main witness, namely, defacto complainant and hence, the Vigilance and Anti-Corruption Department has filed an application to cancel the bail. In the event, if they are allowed to remain outside, they may tamper other witnesses also and spoil the trial proceedings.

6. This Court considered the rival submissions made.

7. The revision petitioners are accused Nos.1 and 2 in Spl.S.C.No. 75 of 2025. They are facing a charge before the Principal District Court, Thanjavur, for the offence under Section 7 of the Prevention of Corruption Act. The allegation as against the accused/revision petitioners is that they have demanded money for approval of a layout. It appears that the trial has commenced and the main witness/defacto complainant was examined in chief on 19.10.2023. Curiously, none of the accused have preferred to cross examine the witness, who was available on that day. Thereafter, there was an attempt made to influence the defacto complainant and a questionnaire was furnished to him with a direction that he has to depose before the trial Court in the manner as



Crl.R.C.(MD)Nos.542 and 533 of 2026

suggested in the questionnaire. In this regard, the defacto complainant has lodged a complaint before the Vigilance-Anti Corruption Department on 11.03.2024, based on which, the Vigilance-Anti Corruption Department has filed an application before the trial Court, seeking cancellation of bail granted to the revisions petitioners / accused Nos.1 and 2. The materials produced by the defacto complainant before the investigating agency, namely, the handwritten questionnaire containing questions and answers, were also placed before the trial Court. The trial Court, being satisfied with the materials, has cancelled the bail granted to the revision petitioners that there was an attempt made to tamper the witnesses.

8. The learned counsel for the 2nd accused has pointed out that even before an FIR has been registered, the trial Court has simply taken the unverified version of the defacto complainant and cancelled the bail, which is against the law and and therefore, it needs to be set aside.

9. In this case, the defacto complainant has appeared before the Vigilance and Anti-Corruption Department and also furnished the



Crl.R.C.(MD)Nos.542 and 533 of 2026

questionnaire which was produced by the accused with a direction to answer in such a manner before the trial Court. The defacto complainant/L.W.3 was examined in chief before the trial Court only on 19.10.2023 and on that day, the accused have not cross examined the defacto complainant, which was adjourned for the purpose of cross examination. At that time, there was an attempt made by the accused to influence the defacto complainant. The defacto complainant has lodged the complaint along with the audio recording and questionnaire.

10. This Court, by considering the argument made on behalf of the accused that without any basis, a case has been registered, directed the Vigilance and Anti-Corruption Department to send the questionnaire to the Forensic Department for a handwriting expert's opinion regarding the signatures found in the questionnaire produced by the defacto complainant.

11. The learned Government Advocate (Crl. Side), on the instructions, submitted that the Forensic Department has found that the handwriting in the document is tallied with the handwriting of the 2nd



Crl.R.C.(MD)Nos.542 and 533 of 2026

accused's counsel. Therefore, based on the forensic report, they have proceeded with further. It is further submitted that they have also registered a criminal case and are now proceeding with the investigation.

12. There are enough materials as against the 2nd accused and his counsel that they have made an attempt to tamper the witness and that too the main witness, namely, the defacto complainant. Therefore, the trial Court, being satisfied with the materials, cancelled the bail, by the impugned order dated 12.03.2026. However, the investigation agency has not collected any materials as against the 1st accused that he has indulged in this offence in Cr.No.2 of 2026.

13. Therefore, the revision petition filed by the 1st accused in Crl.R.C.No.542 of 2026 is allowed and the order passed by the trial Court in Crl.M.P.No.6638 of 2025, dated 12.03.2026 is set aside, insofar as the 1st accused is concerned.

14. Insofar as the 2nd accused is concerned, the investigating agency has collected certain materials alleging that an attempt was made

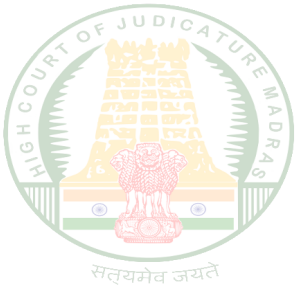


Crl.R.C.(MD)Nos.542 and 533 of 2026

to tamper the witness, through the counsel for the 2nd accused. The investigating agency has also collected audio recordings of conversations.

15. The materials, collected by the investigation agency, form part of the investigation in Cr.No.2 of 2026. Therefore, it cannot be given to the accused at this stage of investigation. This may not be a ground to interfere with the order of the trial Court. Further, the materials are also placed before this Court. This Court also perused the same and found that there are prima facie materials as against the 2nd accused and his counsel. Therefore, this Court is not inclined to interfere with the impugned order, insofar as the 2nd accused is concerned. Accordingly, Crl.R.C.(MD)No.533 of 2026 is dismissed.

16. The respondent/Vigilance and Anti-Corruption Department is directed to conclude the investigation and file the final report within a stipulated time. A copy of the final report shall also be marked to the Bar Council for necessary action as against the 2nd accused's counsel.



Crl.R.C.(MD)Nos.542 and 533 of 2026

WEB COPY

17. In the result, Crl.R.C.(MD)No.542 of 2026 is allowed and Crl.R.C.(MD)No.533 of 2026 is dismissed. Consequently, connected miscellaneous petitions are closed.

17.07.2026

ogy

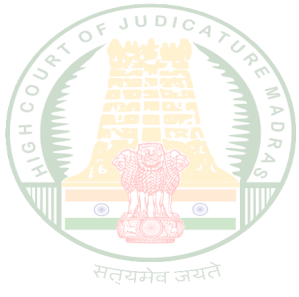
Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.

To

1. The Principal Sessions Judge,
Thanjavur.
2. The Inspector of Police,
Vigilance and Anti-Corruption Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD)Nos.542 and 533 of 2026

B.PUGALENDHI, J.

ogy

Crl.R.C.(MD)Nos.542 and 533 of 2026

17.07.2026