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CRL.O.P.No.865 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.865 of 2026

R.Kannivel
S/o. Rajagopal

..Petitioner(s)

Vs.

State Rep by
Inspector of Police,
Vigilance and Anti-Corruption,
Tiruvannamalai.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to issue directions to the Respondent Police to take immediate measures to preserve the CDR of the mobile numbers 8675414351, 9750204043, 7806866228 across the mobile networks for the period from January 2024 to April 2024.

For Petitioner(s): Mr.P.Ezhil Nilavan

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

ORDER

The petitioner / accused in Crime No.4 of 2024 filed the above petition seeking a direction to the respondent police to take steps to preserve the CDR of mobile numbers 8675414351 (Vodafone), 9750204043 (Vodafone) and



7806866228 (Jio).

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2.It is the contention of the learned counsel for the petitioner that a trap was laid against the petitioner on 12.03.2024 as if the petitioner had demanded Rs.20,000/- towards bribe from the defacto complainant viz. M.Venkatesan and his son V.Balamurugan for issuing patta to their land. The bribe amount was received by a private individual and along with him, the petitioner was arrested in this case.

3.It is the further contention of the petitioner that the petitioner is working as a Town Sub Inspector of Surveyor, Cheyyar. Even according to the complaint registered on 11.03.2024, the defacto complainant had come to the Municipal Office and said to have met the petitioner, enquired him with regard to his petition given in “Makkaludan Mudalvar” scheme seeking for a change of patta in his name. On the very next day, at about 6.00 a.m. he had lodged a complaint, and at about 7.30 a.m. F.I.R. came to be registered in Crime No.4 of 2024 and a trap was laid.

4.It is the contention of the petitioner that the petitioner has not demanded any bribe amount, when the defacto complainant was informed that he was not eligible for any free patta, and the defacto complainant finding that the patta would not be granted in his favour, in connivance with the Vigilance and Anti



Corruption Police, had fabricated a false case and had implicated the petitioner in this case. According to the petitioner, the defacto complainant and his son have been visiting the Vigilance and Anti Corruption Office, Thiruvannamalai and devised a plan and the petitioner has been falsely implicated and in order to prove his case in defence, the Call Detail Record (CDR) with regard to the aforesaid mobile numbers are required.

5.The learned counsel for the petitioner submitted that the trap took place on 12.03.2024, thereby he seeks a direction to the respondent police to take action to preserve the Call Detail Record (CDR) since the Call Detail Record (CDR) would automatically get erased after two years by 12.03.2026. If the Call Detail Record (CDR) disappears after 12.03.2026, the petitioner will not be in a position to probabalise his defence to prove the plot by the defacto complainant and his son along with the Trap Laying Officer. Hence, he seeks appropriate direction to the respondent police to collect the CDR of the above mentioned numbers and to preserve for trial in his defence. In support of his contentions, the learned counsel for the petitioner relied upon the decisions of this Court in Crl.O.P.No.11318 of 2025 dated 30.04.2025, Crl.O.P.No.24472 of 2025 dated 22.10.2025 and Crl.O.P.No.19302 of 2025 dated 08.07.2025.

6.The learned Government Advocate (Crl. Side) filed his counter and submitted that the defacto complainant had lodged a complaint. On his



complaint, a case in Crime No.4 of 2024 under Section 7 of Prevention of Corruption Act came to be registered. Thereafter, pre-trap proceedings were conducted and the trap team proceeded. The petitioner with the help of A2, a private individual had collected the bribe amount and they were caught red handed. Hence, the petitioner along with A2 was arrested in this case. Investigation in this case completed and charge sheet has been filed on 03.06.2025 before the learned Chief Judicial Magistrate, Thiruvannamalai, listing 18 witnesses and 28 documents. Now, the case transferred to the file of learned Principal District Judge, Thiruvannamalai and Spl.C.C.No.60 of 2025 assigned. The accused appeared on 23.01.2026 and the case is posted to 19.02.2026. He further submitted that the petitioner filed this petition on assumption without any reason to show that the defacto complainant and his son appeared before the Vigilance and Anti Corruption Office even prior to the complaint. He further submitted that Mobile No.8675414351 (Vodafone) belonged to the defacto complainant, 7806866228 (Jio) Belonged to the defacto complainant's son V.Balamurugan and 9750204043 (Vodafone) belonged to the defacto complainant's brother.

7.This Court on an earlier occasion, finding that the CDR details will be deleted automatically after a particular period, and since the petitioner's specific defence is that he has been falsely implicated in this case and the bribe amount was seized from A2, a private individual and not from the petitioner, and for the



purpose of defence, CDR particulars are required, hence directs the respondent police to preserve the CDR of the above mentioned mobile numbers, so that it can be used during trial.

8.In view of the above, this Court directs the respondent police to collect CDR details of the Mobile Nos.8675414351 (Vodafone), 7806866228 (Jio) and 9750204043 (Vodafone) from January 2024 to April 2024 along with 65 B Certificate and submit the same before the trial Court. The petitioner during trial can rely on these materials, in support of his defence.

9.This Criminal Original Petition stands allowed accordingly.

02-02-2026

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

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To

1. The Inspector of Police,
Vigilance and Anti-Corruption,
Tiruvannamalai

2.The Public Prosecutor
High Court of Madras
Chennai 600 104



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M.NIRMAL KUMAR, J.

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