



CrI.R.C.No.813 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2026

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.R.C.No.813 of 2026

and

CrI.M.P.No.6234 of 2026

Eswari

...Petitioner

Vs.

State Government of Tamil Nadu,
Represented by the Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Perambalur.

...Respondent

Criminal Revision Petition filed under Section 438(1) r/w. 442(1) of BNSS, seeking to call for the records relating to the order dated 21.11.2025 passed in CrI.M.P.No.1475 of 2025 in Spl.C.C.No.3 of 2025, pending on the file of the learned Principal District and Sessions Judge, Perambalur and set aside the same.

For Petitioner : Mr.Abinesh Babu

For Respondent : Mr.S.Udayakumar, GA(CrI. Side)

ORDER

This criminal revision has been filed seeking quashment of the order dated 21.11.2025 made in CrI.M.P.No.1475 of 2025 in



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Spl.C.C.No.3 of 2025 by the learned Principal District and Sessions Judge, Perambalur.

2. The brief facts of the case are as follows:

2.1 Based on the complaint given by the de facto complainant alleging that A1, who was the then Village Administrative Officer of T.Kalathur Village demanded illegal gratification of Rs.25,000/- from the de facto complainant for the purpose of getting individual patta in favour of his son and subsequently, reduced the same to Rs.20,000/- and the petitioner herein/A2, who was serving as Village Assistant, abetted A1 in the commission of the offence of demand and acceptance of illegal gratification from the de facto complainant, an FIR in Crime No.2 of 2023 came to be registered on the file of the respondent police for the offence under Section 7 of the Prevention of Corruption Act and upon completion of investigation, the final report was filed before the jurisdictional court and the same was taken on file in Spl.C.C.No.3 of 2025 and the petitioner has been charged for the offences under Sections 7(a) r/w. 12 of the Prevention of Corruption Act.

2.2 The petitioner filed a petition in Crl.M.P.No.1475 of 2025 under Section 239 of Cr.P.C. seeking to discharge her from the prosecution and the learned Principal District and Sessions Judge,

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Perambalur, vide order dated 21.11.2025, dismissed the said petition.

Challenging the same, the petitioner/A2 has come up with this revision.

3. Learned counsel for the revision petitioner submitted that the petitioner, other than expressing an opinion that a sum of Rs.25,000/- has to be spent at the office of the Tahsildar, she has not abetted A1 in the alleged offence of demand and acceptance of illegal gratification from the de facto complainant nor has she demanded any amount from the de facto complainant. While such being the case, without there being any concrete evidence, the petitioner has been charged for the offences under Sections 7(a) r/w. 12 of the Prevention of Corruption Act, which is not sustainable. Accordingly, he prayed for setting aside the impugned dismissal order dated 21.11.2025 made in the discharge petition.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent submitted that when the de facto complainant approached A1, who was the then Village Administrative Officer, for obtaining separate patta in his son's name, he demanded a sum of Rs.25,000/- towards illegal gratification and asked the de facto complainant to contact the petitioner herein, who was the Village Assistant and the petitioner herein, on behalf of A1 informed the de facto



complainant to pay a sum of Rs.20,000/-. Despite being informed by the de facto complainant that he was a retired Government servant, the petitioner allegedly persisted in the payment of the bribe amount, thereby abetting the commission of the offence of demanding and accepting illegal gratification. He further submitted that the name of the petitioner is mentioned in the FIR itself. He also submitted that there are specific materials to show that the petitioner abetted A1 for commission of the abovesaid offences and the trial court, after careful consideration of the said facts, dismissed the discharge petition filed by the petitioner, which cannot be said to be erroneous. Accordingly, he prayed for dismissal of this revision.

5. Heard learned counsel on either side and perused the materials available on record.

6. On a perusal of the materials placed on record, particularly the impugned order, this Court is of the view that after considering the entire materials, the Trial Court finding, inter alia, that in the FIR itself, the role of the petitioner has been clearly stated and that her role cannot be segregated from the role of A1, held that the petitioner cannot seek discharge before completion of trial. As rightly pointed out by the learned



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Government Advocate (Crl. Side), this Court is of the considered opinion that the nature of evaluation to be made by the Court at the stage of framing of charge is to test the existence of *prima facie* case and this Court cannot conduct a mini trial. Since a *prima facie* case has very well been made out by the prosecution, this Court does not find any infirmity in the impugned order.

7. Accordingly, this Criminal revision stands dismissed. Consequently, the connected miscellaneous petition stands closed.

08.04.2026

skt

To:

1. The Principal District and Sessions Judge,
Perambalur.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Perambalur.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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