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CRL OP NO. 24059 OF 2024
and
CRL MP No.1459 OF 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP NO. 24059 OF 2024
and
CRL MP No. 1459 of 2026**

1. J.Mahendra Wilson
S/o.Jeyamani,
Senior Revenue Inspector (Assistant),
Taluk Office, Dharapuram,
On duty at the Office of
Revenue Divisional Officer,
Dharapuram, Tiruppur District,
Residing at, Plot No.65, 1st Cross,
Golden City, near Agaram School,
Karur Main road, Kolathupalayam
Post, Tiruppur District.

Petitioner/Accused

Vs

1.The State rep. by
The Inspector of Police,
Vigilance and Anti-Corruption,
Tiruppur District.
(Ref:Crime No.05/2022/AC/TPR)

2.K.Rajendran
S/o.Karuppan,
No.193/2, KNP Subramani Nagar,
6th Cross Street, TC Market Post,
Tiruppur District.

Respondent(s)



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The State of Tamil Nadu rep. by
The Inspector of Police,
Vigilance and Anti-Corruption,
Tiruppur District.
(Cr.No.05/2022/AC/TPR)

Petitioner(s)

Vs

1. J.Mahendra Wilson
S/o.Jeyamani,
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On duty at the Office of
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S/o.Karuppan,
No.193/2, KNP Subramani Nagar,
6th Cross street, TC Market Post,
Tiruppur District.

Respondent(s)

Prayer: The Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for the records of impugned proceedings pending in Spl.C.C.No.1 of 2023, on the file of the learned Chief Judicial Magistrate, Tiruppur and to quash the same.



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For Petitioner(s): Mr.J.Kather Hussain

For Respondent-1 : Mr.S.Udayakumar
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.C.C.No.1 of 2023, pending on the file of Chief Judicial Magistrate Court, Tiruppur.

2.This Court, on 14.03.2025, had passed the following order:

“The petitioner/accused, who is facing trial in Spl.C.C.No.1 of 2023 for offence under Section 7(a) of the Prevention of Corruption Act, had filed this quash petition.

2.The case projected against the petitioner is that the de-facto complainant/decoy, Mr.K.Rajendran, S/o.Karupanadevar, K.N.P.Subramania Nagar, T.C.Market Post, Tiruppur District is a business man. The de-facto complainant's father purchased 2.18 acres of land on an instalment basis in Ponnapuram village in S.F.No.869/1B under the Tamil Nadu Land Reforms Rules on 17.11.1978 as condition patta with a condition that the land shall not be sold or otherwise alienated before the expiry of ten years from the date of assignment or before the payment of the value of the land, buildings and trees thereon in full, whichever is later. The de-facto complainant's father Karupanadevar paid all the payments and he



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died on 06.05.2018. The de-facto complainant's mother Lakshmi also passed away on 26.10.2016. On 10.08.2021, the de-facto complainant applied for changing condition patta, which stood in the name of his father into Ayan patta. For transferring the same, he approached Revenue Divisional Officer (RDO), Dharapuram. The application given by the de-facto complainant has to be verified by the RDO, Dharapuram after getting report from Tahsildar, Dharapuram. The petitioner/accused is a Senior Revenue Inspector/Assistant in the office of the RDO. On 10.08.2021, the de-facto complainant submitted an application along with documents before one Tmt.Krishnaveni, PA to RDO, Dharapuram. After verification done by VAO of Ponnapuram village and Tahsildar, Dharapuram, report was sent to RDO, Dharapuram. Thereafter, on 04.03.2022 the de-facto complainant was called for enquiry and his statement was recorded before the RDO. On 09.03.2022, the de-facto complainant approached the PA to RDO, who instructed him to contact the petitioner, who was looking after the file and the petitioner instructed the de-facto complainant to appear on 11.03.2022 for RDO enquiry. On that day the petitioner demanded a sum of Rs.50,000/- as illegal gratification for processing the file quickly.

3.On 21.03.2022 the de-facto complainant called the petitioner from his mobile No.9788333955 to the petitioner's mobile No.9444492040 and thereafter the demand of Rs.50,000/- reduced by Rs.5,000/- and he was asked to pay Rs.45,000/- and later the demand was reduced to Rs.25,000/-. On 25.03.2022, between 15.05 hours to 15.15 hours the de-facto complainant met the petitioner



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along with the official witness Mr.karthik and requested for the copy of the patta. At that time it was informed that RDO already signed in one file and he has to put his signature in the order which was kept ready, since the RDO has gone for meeting at Tiruppur Collectorate, after his arrival, signature would be obtained. Further he reiterated his earlier demand, the de-facto complainant was ready to pay the amount and the petitioner asked one Kannusamy, part time watchman to collect money on his behalf. The said Kannusamy came to the two wheeler stand, collected the money and went inside the office. Thereafter, trap team entered and confirmed the Kannusamy receiving bribe amount and thereafter, the accused was arrested.

4.The primary contention of the petitioner is that as per Section 55 of the Tamil Nadu Government Office Manual, the office copies and fair copies to be typed together when possible. In this case, the explanation given is that file has been signed on 06.04.2022 by the RDO, but it is not so. The petitioner obtained office copy order by RTI in which it is seen that petitioner signed on 21.03.2022 and the RDO signed it on 21.03.2022, which has been suppressed. Further there is no reason as to why RDO as well as the temporary watchman left out from prosecution. If the case of the prosecution taken to be true and approved then anybody can be implicated in the trap proceedings by implanting a person and thereby projecting a case against the public servant.

5.The learned Government Advocate though filed counter, there is no answer to the points raised by the petitioner. In view of the same, the learned Government Advocate is directed to file a detailed counter.



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6.The learned counsel for the petitioner submits that the case is posted before the trial Court on 20.03.2024 for framing of charges.

7.Post the case on 02.04.2025. Till then, the trial Court is directed not to frame charges against the petitioner in Spl.C.C.No.1 of 2023.”

3. In continuation and conjunction with the earlier order passed by this Court on 14.03.2025, the following order is passed:

4. The learned counsel for the petitioner/accused submitted that the petitioner through RTI obtained office copy of clearance certificate and the proceedings of the Revenue Divisional Officer, dated 21.03.2022 from the Sub Registrar Office, Dharapuram, who registered those documents in Document No.4782/2022 as annexure to the Partition Deed. He further submitted that the petitioner/accused only prepared the office copy to remove the condition patta and transfer it to Ayan Patta, in which, one Krishnaveni, P.A. to RDO signed. The acknowledgement/receipt of this office copy proceedings by the de-facto complainant K.Rajendran dated 06.04.2022 is also found in the office copy. Likewise, in the Clearance Certificate dated 21.03.2022, the petitioner, P.A. to RDO and RDO all signed and it was received by the de-facto complainant on 06.04.2022.



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5. The primary contention of the petitioner/accused is that one Ramesh Kumar, Office Assistant was introduced in this case subsequently to give an explanation as though after the trap on 25.03.2022, Ramesh Kumar was entrusted with the additional charge of the petitioner's work and he prepared the Clearance Certificate and No Objection proceedings later and on 06.04.2022, the same was issued to the de-facto complainant. But the documents collected would prove otherwise.

6. The learned counsel further referring to the Ayan Patta change register, which he collected from the RDO office in the year 2025, page No.123 of the Register at Srl.No.325 to show that even on 21.03.2022, he made ready both the office copy and fair copy as per Rule 55 of Tamil Nadu Government Office Manual. Thus the petitioner made as a scapegoat using one Kannusamy, a part time Night Watchman, who was employed by Kumaresan, RDO. Though submissions recorded as though the petitioner was making use of Kannusamy for his work, it is only an afterthought to somehow implicate the petitioner and further to absolve the RDO, who is the authorised person to issue the patta transfer order and P.A. to RDO to get acknowledgement from the applicant and to issue the appropriate orders. The



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petitioner's role is only to put up the process file. Even according to the statement of de facto complainant, enquiry in the RDO office for change of patta was completed on 04.03.2022, which is recorded in the note file which forms part of the documents and further the petitioner also collected the same through RTI. On 04.03.2022, the petitioner, P.A. to RDO and RDO all signed recording the statement of de facto complainant. Thereafter, on 08.03.2022, RDO made a note to collect the Encumbrance Certificate for the property which was resubmitted on 14.03.2022 confirming that already Encumbrance Certificate is available and thereafter on 21.03.2022 the RDO agreed to issue change of patta and No Objection Certificate. After 21.03.2022 the petitioner has no role further and it is for the RDO and P.A. to RDO to proceed. But the petitioner has been falsely implicated in this case.

7. He further submitted that in this case after filing the quash application now it is reported that Kannusamy, part time Night Watchman arrayed as A2 in this case. Further referring to the statement of Kumaresan-RDO submitted that on 31.05.2024, the said Kumaresan has sought for voluntary retirement at the age of 57 which would confirm that said Kumaresan to wriggle out from his culpability, made the petitioner a scapegoat.



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8. The learned Government Advocate (Crl. Side) appearing for the first

respondent filed his counter and chronology table, which is extracted hereunder:

1.	25.03.2022 9.00 a.m.	De facto complainant submitted the complaint
2.	25.03.2022 9.00 a.m. to 9.30 a.m.	Confidential enquiry conducted by TLO
3.	25.03.2022 9.30 a.m. to 10.15 a.m.	Registration of F.I.R.
4.	25.03.2022 10.30 a.m.	Requisition letters sent to official witnesses
5.	25.03.2022 11.30 a.m.	Official Witnesses appeared before TLO
6.	25.03.2022 11.35 a.m. to 12.35 p.m.	Entrustment Mahazar was prepared by the TLO
7.	25.03.2022 1.00 p.m.	The TLO, de facto complainant, Official Witnesses and police team left from Vigilance Office, Tiruppur.
8.	25.03.2022 2.00 p.m.	The TLO, de facto complainant, Official Witnesses and police team reached 50 meters away from RDO Office, Dharapuram.
9.	25.03.2022 2.05 p.m.	Dispatch of de facto complainant and accompanying official witness to meet the petitioner/accused
10.	25.03.2022 2.10 p.m.	The de facto complainant and accompanying official witness returned from petitioner's office without signal.
11.	25.03.2022 3.00 p.m.	Dispatch of de facto complainant and accompanying official witness to meet the petitioner/accused.
12.	25.03.2022 3.05 p.m. to 3.15 p.m.	The petitioner/accused received the bribe amount.
13.	25.03.2022 3.20 p.m.	Signal transmitted by the de facto complainant



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14.	25.03.2022 3.25 p.m.	The de facto complainant identified the petitioner/accused.
15.	25.03.2022 3.30 p.m.	Intimation to the superior officer of petitioner/accused
16.	25.03.2022 3.35 p.m.	Superior officer arrival.
17.	25.03.2022 3.35 p.m. to 4.00 p.m.	Phenolphthalein test conducted on both hand fingers and left side shirt pocket of LW5-Kannusamy.
18.	25.03.2022 4.15 p.m. to 8.30 p.m.	Preparation of seizure mahazar
19.	25.03.2022 8.10 p.m.	Arrest of the petitioner/accused.
20.	25.03.2022 8.30 p.m. to 9.00 p.m.	Preparation of Rough Sketch.
21.	25.03.2022 9.00 p.m.	Advance intimation to Hon'ble Special Judge-cum-CJM, Tiruppur.
22.	25.03.2022 10.00 p.m. to 10.30 p.m.	House Search.
23.	25.03.2022 11.30 p.m.	Trap team reached V & AC Office with petitioner/accused
24.	25.03.2022 11.45 p.m.	The petitioner/accused sent for remand.

to show that after receipt of the complaint, enquiry conducted, trap laid and trap was successful.

9. The learned Government Advocate further submitted that the petitioner/accused made entry in the note file and submitted to P.A. to RDO, who in turn signed and submitted to RDO. The Sub-collector/RDO approved the note file but the draft Clearance Certificate alone signed by the RDO on 21.03.2022 and no fair clearance certificate prepared or signed on



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21.03.2022. In the meanwhile, the demand for bribe made and on 25.03.2022

trap laid. Thereafter, on 06.04.2022, clearance certificate and the order for change of patta handed over to the de facto complainant. He further submitted that a draft clearance certificate cannot be construed as fair clearance certificate said to have been made ready on 21.03.2022. Further submitted that in this case after recording the statement of witnesses and collection of documents and relevant records, charge sheet filed. At that stage, the petitioner/accused filed quash application before this Court and this Court by order dated 19.06.2025, directed to proceed further investigation and file a status report. Now further investigation completed and status report filed. The relevant paragraph is extracted hereunder:

“5) It is most respectfully submitted that during the course of further investigation so far, I have examined the Petitioner/accused, M. Kannusamy (L.W.5/temporary watchman), R.Kumaresan (L.W.11/RDO) and recorded their further statements. Further, I have examined V.Gowri who was working as Senior Revenue Inspector in RDO Office, Dharapuram, P.Surya who was working as Junior Revenue Inspector in RDO Office, Dharapuram, O.Murugesan who was working as Office Assistant in RDO Office, Dharapuram, M.Rajeswari who was working as Typist in RDO Office, Dharapuram, K.Rameshkumar who is working as Senior Revenue Inspector (A-Seat) in RDO Office, Dharapuum, K.Shanmugam who



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is working as Record Clerk in RDO Office, Dharapuram, K.Dhandapani who was working as Office Assistant, RDO Office, Dharapuram, G Vivekanandhan who was working/monitoring "C" Seat in RDO Office, Dharapuram, R.Yuvaraj who was working as Typist in RDO Office, Dharapuram and one Suresh who is working as Deputy Manager, SBI, Dharapuram Branch who had furnished the credit and debit transaction details in SB Accounts of petitioner/accused, M.Kannusamy (L.W.5/temporary watchman), R.Kumaresan (L.W.11/RDO) and recorded their statements."

10. He further submitted that the first respondent police immediately conducted enquiry with the present A1 seat-Assistant, RDO Office, Dharapuram and RDO. Dharapuram in respect of over writings and side initial of petitioner/accused which was found in Serial No.325 of Page No.123 of Ayan Patta Change Register. During the course of enquiry, it revealed that the petitioner regularly visited the RDO Office, Dharapuram once in a couple of days from October, 2025 and finally he approached Assistant, Tmt.Selvi on 10-12-2025 and asked the Ayan Patta Change Register. Tmt.Selvi who is Custodian of the above register handed over the same immediately to the petitioner without the knowledge of RDO, Dharapuram and with the knowledge that the petitioner is facing criminal trial. The petitioner received the said register to make over writings in Serial



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No.325 of Page No.123 and side initialled it as if he made the side initial on 21.3.2022. Then he handed over the said register to A1-Assistant half an hour later. Subsequently, the petitioner requested and obtained attested copy of Page No.123 and Serial No.325 of Ayan Patta Change Register through RTI on 31.12.2025 and submitted before this Court on 06.01.2026.

11. He further submitted that on examination of Tmt.Selvi, the custodian of register, which was manipulated by the petitioner/accused, it is learnt that the petitioner falsely made entries in the Ayan Patta Change Register. After manipulation of the register, the same was obtained through RTI with a view to screen the offence and cause disappearance of evidence. It is ascertained that the petitioner manipulated Ayan Patta Change Register in order to escape from the clutches of law.

12. He further submitted that in order to enquire about the manipulation, a requisition was sent to RDO for CCTV footage showing the visit of petitioner in RDO office during his suspension and has sent a requisition to the service provider of the petitioner's mobile number for ensuring the presence of petitioner in RDO office during the said period.



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Further steps were being taken to examine the officials of RDO office to substantiate the frequent visit of the petitioner. He further submitted that now investigation completed, sanction order obtained and within a short period additional final report can be filed.

13. The learned counsel for the petitioner/accused refuted the first respondent's claim that the petitioner made correction in the register. Since the petitioner's subsistent allowance not paid, suspension not revoked from the year 2022, he made visit to the RDO office, which was turned against him. The petitioner even in the year 2023, through RTI received the Extract of Register pertaining to Serial No.325, wherein it is clearly seen that petitioner made side initial in the same. Hence, there is no necessity for the petitioner to subsequently make any such insertion as claimed by the first respondent. Further the register is nothing but record of the note file entries and the note file entries as on 21.06.2022 is not a disputed fact by the first respondent police.

14. Considering the submissions made on either side and upon perusal of the materials, it is seen that the petitioner/accused is only a Senior Revenue



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Inspector and his job as regards RDO office is only to collect information, put up file to his superior with regard to change of patta and for issuance of Clearance Certificate. He collected details and made entries in the note file for conduct of enquiry in the RDO office. Thereafter the file sent to P.A. to RDO and thereafter RDO proceedings recorded then and there and all the officials up to the RDO, Kumaresan have signed and also gave clearance for issuance of the certificate on 21.03.2022. The moot question is that, on the date of trap whether only draft clearance certificate signed or fair clearance certificate signed. As per the Tamil Nadu Government Office Manual, both draft and fair copy to be prepared simultaneously, which is a moot point.

15. Further, in this case the trap money recovered from the newly added accused No.2/Kannusamy, part time Night Watchman and admittedly no trap amount recovered from the petitioner/accused. The authority to issue the clearance certificate, transfer of patta is with Kumaresan/RDO/LW11. It is also to be seen that Kumaresan has now given voluntary retirement from the service. The points raised by the petitioner are disputed facts, which cannot be decided in this quash petition. It is open for the petitioner/accused to take all his defence during trial.



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16. In view of the above, the Criminal Original Petition stands dismissed. It is made clear that the observations made herein are only to the limited purpose of deciding the above petition. The petitioner is at liberty to raise all the points during trial. Consequently, the connected Criminal Miscellaneous Petition is also dismissed.

30-01-2026

Index: Yes/No
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To

- 1.The Chief Judicial Magistrate,
Tiruppur.
- 2.The Inspector of Police,
Vigilance and Anti-Corruption,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.



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