



WEB COPY

CRL MP No. 23819 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

**CRL MP No. 23819 of 2025
in Crl.O.P.No.23109 of 2025**

B.S.Mani

..Petitioner(s)

Vs

1. Surya
2. The State Rep. by The Inspector of Police
Tiruchengode Rural Police Station,
Namakkal district.637 304.
Cr.No.174 of 2025

3. The Superintendent of Prison
Central Prison,Salem District.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482(3) of BNSS Act seeking to cancel the bail to the 1st respondent/accused in connection with Crl.OP No. 23109/2025 dated 20.08.2025.

For Petitioner(s): Mr.M.Dinesh

For Respondent(s): Ms.J.R.Archana, GA(Crl.Side) for R2 And R3
Mr.T.Dhasarathan for R1



ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner seeking cancellation of bail granted to the first respondent in connection with CrI.O.P.No.23109 of 2025 dated 20.08.2025 for the offences under Sections 324(3), 118(1), 351(2) & 303(2), of BNS 2023 @ 118(1) and 351(2) of BNS 2023 (U/s 324 & 506(1) of IPC) in Crime No.174 of 2025.

2. The learned counsel for the petitioner submitted that the first respondent, though confined in prison, had attempted to tamper with the evidence by contacting one of the witnesses in the criminal case and influencing her. It is contended that such conduct amounts to violation of the bail conditions, and therefore, the bail granted to the first respondent is liable to be cancelled.

3. Per contra, the learned counsel for the first respondent submitted that there is absolutely no allegation of tampering with evidence. It is further submitted that the said witness is known to the first respondent and that she voluntarily met the first respondent and the interaction was purely in the nature of a family discussion. Hence, it cannot be construed as an act of influencing or tampering with evidence. Therefore, he prayed for dismissal of the petition.



4. The learned Government Advocate reiterated the prosecution case and submitted that the investigation in Criminal Original Petition No.23109 of 2025 has been completed and the charge sheet has been filed and the same is yet to be taken on file.

5. This Court finds that the allegation levelled against the first respondent that the witnesses were threatened and influenced to depose in his favour has not been substantiated by any material. Though it is stated that Kavitha is one of the witnesses cited in the final report, the said Kavitha has not come forward with any complaint or allegation that she was threatened or influenced by the first respondent. Earlier, this Court had directed the petitioner to file an affidavit of the said Kavitha to substantiate the allegation of threat and influence. However, the same has not been complied with.

6. In such circumstances, this Court is of the view that the averments made by the petitioner regarding the alleged threat and influence on the witness Kavitha are not supported by any material evidence. In the absence of any concrete proof of violation of bail condition, this Court is not inclined to cancel the bail already granted.



7. Accordingly, this Criminal Miscellaneous Petition is dismissed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

1. The Inspector of Police
Tiruchengode Rural Police Station,
Namakkal district.
2. The Superintendent of Prison
Central Prison,
Salem District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

JAI

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