



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2015

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

WEB COPY Criminal Original Petition (MD)No.12205 of 2015

S.Subramanian

... Petitioner

Vs.

1.The Director,
Directorate of Vigilance and Anticorruption
NCB 21 to 28 P.S.Kumarasamy Raja Salai
(Green Ways Road)
Raja Annamalaipuram, Chennai.

2.The Deputy Superintendent of Police,
Vigilance and Anticorruption
Muthusamy Nagar,
Sivagangai,
Sivagangai District

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the case based on complaint given by the petitioner on 04.03.2015.

For Petitioner	:	Mr.S.Vijayakumar
For Respondent	:	Mr.C.Mayilvahana Rajendran Additional Public Prosecutor

ORDER

The petitioner has come up with this petition seeking a direction to the 2nd respondent to register a case on his complaint dated 04.03.2015.

2. I have heard the learned counsel for the petitioner, the learned Additional Public Prosecutor for the respondents and I have also perused the records carefully.

3. According to the complaint, the petitioner is the absolute owner of the land comprised in S.A.No.125/4A at Pranthani Village. The Village Administrative Officer has issued a copy of the Adangal to show that he has been cultivating the land. The complaint further proceeds to say that some unscrupulous elements in the village have stealthily harvested the paddy raised by the petitioner. Regarding the same, on a complaint made by him, a case has been registered and the same is investigated. He has also preferred a complaint to the Tahsildar. Before the Sub Inspector of Police, the Village Administrative Officer concerned has given a statement during investigation that the crop was raised only by others and not by the petitioner. This is the only allegation made

against the Village Administrative Officer. For this, the petitioner wants a case to be registered by the 2nd respondent.

4. In my considered opinion, the complaint does not make out any offence at all under Section Prevention of Corruption Act warranting investigation. Whether any such statement was made by the Village Administrative Officer before the police or not and whether the statement made by him was duly recorded and whether the statement is true or not, are all matters to be decided only before the Court after filing a final report in the theft case. Therefore, no direction as sought for by the petitioner is issued to the respondents. Accordingly, the Criminal Original Petition fails and the same is dismissed.

Sd/-

Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Director,
Directorate of Vigilance and Anticorruption
NCB 21 to 28 P.S. Kumarasamy Raja Salai
(Green Ways Road)
Raja Annamalaipuram, Chennai.

2. The Deputy Superintendent of Police,
Vigilance and Anticorruption
Muthusamy Nagar,
Sivagangai,
Sivagangai District

3. The Additional Public Prosecutor,
Madurai bench of Madras High Court,
Madurai.

+One cc to M/s. S. Vijayakumar, Advocate, SR.No.35338

RR

RL/5 c- 22/7/2015

Order made in
Criminal Original Petition (MD) No.12205 of 2015