

Crl.O.P.No.26433 of 2016
in Crl.A.SR.43661 of 2016

S.BASKARAN, J.

This petition has been filed praying to grant special leave to prefer appeal against the order of acquittal passed in Special C.C.No.31 of 2014 by the Special Judge (Special Court for Trial of Cases under the Prevention of Corruption Act) Salem.

2. It is submitted by the learned Additional Public Prosecutor appearing for the appellant that on the complaint of the defacto complainant Ponnusamy, who was not willing to pay the bribe amount to the accused A-1 and A-2 herein, the Inspector of Police V & AC., Salem, received a written complaint and registered a case in Crime No.5/AC/2005 under Section 7 of the Prevention of Corruption Act, 1988, against A-1 and A-2. Based on the above complaint, the Investigating Officer, has registered the case, investigated the same and after completion of the same, laid a charge sheet against A-1 and A-2 for offences under Section 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act, on the file of the trial court, wherein, the present respondents have been arrayed as respondents and the same has been taken on file in C.C.No.31 of 2014.

S.BASKARAN, J.

3. The trial court, after considering the available evidence on record has dismissed the complaint and thereby, acquitted the respondents/accused therein. Against the order of dismissal, Crl.Appeal.No.SR.43661 of 2016 has been filed. In the said circumstances, for granting special leave, the present petition has been filed.

4. Considering the reason stated in the petition, the same is allowed.

20.12.2016

nvsri

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