IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17 .11.2016

(Reserved on : 18.10.2016 ; Pronounced on : 17 .11.2016)

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.OP.No.9104 of 2016
and
CRL.M.P.No.4714/2016

P. Somakumaran ..Petitioner

Vs.

The State Rep. by
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Udhagamandalam
..Respondent

Prayer :Criminal Original Petition filed to call for the records relating to proceedings in C.C.No.126 of 2011 on the file of the Special Court for Directorate of Vigilance and Anti-Corruption, Coimbatore and quash the same.

For Petitioner : Mr.ARL.Sunderesan
Senior Counsel for
M/s.AL.Gandhimathi

For Respondent : Mr.P. Govindarajan
(Additional Public Prosecutor)

O R D E R

The Criminal Original Petition filed to call for the records relating to proceedings in C.C.No.126 of 2011 on the file of the Special Court for Directorate of Vigilance and Anti-Corruption, Coimbatore and quash the same.

2. The brief facts giving rise to the present Criminal Original Petition is that:

(i) The Government of Tamil Nadu in G.O.Ms.No.25 Planning and Development (HADP) dated 08.04.1982 accorded sanction for implementation of Rural Water Supply Scheme in about 140 villages under Social Input Programme. The Rural Water Supply Scheme was formulated and a rural water supply division was formed in TWAD Board in the year 1982 with Head Quarters at Udhagamandalam to implement the said RWS Scheme. It functioned under the control of one Executive Engineer, TWAD Board, who was assisted by a team of Technical Administrative Staff for the implementation of Rural Water Supply Schemes in the Nilgiris District. There were four sub divisions having offices at Kothagiri, Gudalur, Coonoor and Udhagamandalam headed by Assistant Executive Engineers with Assistant Engineers and other supporting staff. In the Board proceedings No.153 dated 13.05.1974 of TWAD Board authorized only the Chief Engineer to split up all major tender works into convenient parts as contemplated in the abstract of the estimate. As per the Board proceedings No.387 dated 11.10.1977, the Executive Engineer other than Rural Water Supply Division are empowered to procure the unlisted item of materials upto Rs.10,000/- only. As per Board proceedings No.118 dated 12.05.1987 the HDPE Specials are included as listed items of materials and the Executive Engineer, RWS is empowered to procure the unlisted item of materials upto Rs.20,000/-

(ii) During the period 1982 to 1987, at Udhagamandalam, A1 along with one M. Prabakaran (expired) in the capacity as Executive Engineer, TWAD Board RWS supply Division, Udhagamandalam having been entrusted and having dominion over the funds of TWAD Board had in violation of the tender procedures, PWD Codal provisions and instructions of TWAD Board in the purchase of HDPE Flanges and Pipe ends committed criminal breach of trust in respect of a total sum of Rs.1,82,24,293/-- pertaining to 1036 forged tender documents/agreements of A28 to A31 and A33, who claimed themselves to be the representatives of 10 non-existent and fictitious firms.

(iii) A2 and A3 in collusion with the said M. Prabakaran, Executive Engineer (expired) in the process of the said tender documents, intentionally and knowingly omitted to observe the existing Rules and Orders of TWAD Board in respect of the said tender transaction in calling for the tenders, issue of tender schedules, setting of contracts, execution of agreements, etc., with A28 to A31 and A33 and in passing the bills without pointing out the violation of TWAD Board's proceedings for splitting up purchase of HDPE Flanges and Pipe ends and without placing any objection on record for making the payment by the said M.Prabakaran (expired) to A28 to A31 and A33 for the supply of the said materials.

iv) A4 to A22 and one C. Manoharan (expired) in collusion with the said M. Prabakaran (expired) in the process of the said tender documents intentionally prepared unwanted requirements of the HDPE Flanges and pipe ends for RWS Scheme for where there is no provision in the technically sanctioned OP estimates and detailed working estimates and also intentionally and knowingly omitted to check up and ensure the quality of HDPE

Flanges and Pipe ends supplied by A28 to A31 and A33 countersigned the bills for the supply of the said materials.

(v) A23 to A27 in collusion with the said M.Prabakaran (expired) in the process of the said tender documents intentionally omitted to verify the genuineness about the existence, I.T. Clearance, Sales Tax Clearance, Financial Capacity and also the Proprietorship of those 10 non-existence firms of A28 to A31 and A33 and thereby recommended the said M.Prabakaran (expired) to place supply orders and to make payments of the said amount to A28 to A31 and A33 for the supply of HDPE Flanges and Pipe ends under those 1036 false tender documents/agreements.

(vi) As there was a large scale misconduct in the implementation of the scheme was notices, the then Superintendent of Police, Western Range, Vigilance and Anti-Corruption conducted a preliminary enquiry and filed a report. Based on the Enquiry Report, originally FIR was filed against 13 persons under Sections 120-B, 420 IPC, 5(1) (D) r/w 5(2) of PC Act, 1947 and 109 IPC in Cr.No.3/AC/88/HQs dated 14.10.1988.

vii) Thereafter, the then Inspector of Police, City Special Unit II, Vigilance and Anti Corruption, Chennai took up the case for further investigation and pending completion, he found out the involvement of 30 more persons in the irregularities in the implementation of the scheme. The Investigating Officer has filed an application to include 30 persons as accused before the competent court and included the other accused persons also. Thereafter, the case was transferred from City Special Unit II, Vigilance and Anti-corruption, Chennai to the respondent police on 30.06.2005 and the then Superintendent of Police took up the case for further investigation and examined 199 witnesses, collected and perused 3064 documents including 1178 forged tender schedules/agreements with forged signatures of fictitious persons.

viii) Based on the examination of witnesses and documents, the then Deputy Superintendent of Police laid a charge sheet against the accused persons for the offences punishable under Sections 120-B r/w. 409, 467, 468, 477A, 471 r/w. 467 and 420 IPC and 5 (1) (A) (a) (c) - and (d) of Prevention of Corruption Act, 1947 on 10.10.2007 and the same was taken as C.C.No.9 of 2008 on the file of the learned Special Judge/District Sessions Judge, Udhagamandalam, the Nilgiris District on 23.04.2008. Subsequently, the case was transferred to the Court of Special Judge under Prevention of Corruption Act, Coimbatore on 10.11.2011 and the same was taken on file as C.C.No.126 of 2011 and it is still pending.

ix) Under the above circumstances, even after a period of about 8 years since nothing was proceeded with and there was an inordinate delay in respect of conducting trial which amounts to violation of life and liberty as enshrined in Article 21 of the Constitution of India, the petitioner has filed this petition to challenge the charges on the ground of inordinate delay.

3. On the side of the respondent, a detailed counter has been filed, wherein it has been stated that the Government of Tamil Nadu in G.O.Ms.No.25 Planning and Development (HADP) dated 08.04.1982 accorded sanction for implementation of Rural Water Supply scheme in about 141 villages under Social input programme. The Rural Water Supply Scheme was formulated and a rural water division was formed in TWAD Board in the year 1982 with HQs at Udhagamandalam to implement the said RWS scheme. It was started with a noble cause to augment water supply to much needed area.

4. As there was large scale misconduct in the implementation of the scheme was noticed, the then SP, Western Range, V&AC conducted a preliminary enquiry and found out the following facts, namely, that during 1984 - 1985 and 1986 - 1987. Thiru.B. Krishnan, EE Rural Water Division, Udhagamandalam and subsequently Thiru. M. Prabhakaran (Expired) EE, RWS, Udhagamandalam were in charge of the implementation of the scheme. Thiru. B.Krishnan took up 21 rural water supply schemes and Thiru. M.Prabhakaran who succeeded him took 136 such schemes. Thiru. B. Krishnan accepted 52 agreements and Thiru. M.Prabhakaran accepted 1098 agreements. In this process, it was found out Thiru. Krishnan as well as Thiru. Prabhakaran connived with 11 persons noted in the Enquiry Report, who styled themselves as proprietors of various companies all of which were fictitious in nature with fictitious addresses, entered into a criminal conspiracy to commit illegal acts by illegal means to commit and abet in the commission of various offences including to cheat TWAD Board between 1984-85, 1986-87 by accepting quotations at Exorbitant rate for the purchase of materials like HDPE Flanges and pipe ends for the above said scheme causing loss to TWAD Board to an extent of Rs.1,82,00,000/- lakhs and obtained pecuniary advantage.

5. The petitioner is A-7 being Assistant Executive Engineer, TWAD Board colluded with A-4, A-8, A-9, A-12, A-15, A-17, A-18, A-21 and A-22 and Tr.Manoharan, Assistant Engineer (Expired), A-1, A-31 and A-34 by practicing deception on TWAD Board intentionally prepared unwanted requirements of HDPE Flanges and pipe ends of RWS Schemes for which there is no provision in the technically sanctioned OP estimates and

detailed working estimates, intentionally omitted to check up and ensure the quality and quantity of the said HDPE Flanges and Pipe ends, supplied by A-31 & A-32 and caused the TWAD Board to make payment and caused loss to the tune of Rs.1,82,24,293/- . In pursuance of Criminal Conspiracy he along with other accused caused loss to the Government and misappropriated to the Government fund.

6. The averment in Para (ii), the petitioner and other accused had prepared unwanted requirements of HDPE Flanges, based on that A-1 Tr.M.Prabakaran (expired) in the capacity of Executive Engineer, TWAD board RWS Supply Division, Udhagamandalam having been entrusted and having dominion over the funds of TWAD Board committed criminal breach of trust in respect of a total sum of Rs.1,82,24,293/- pertaining to 1036 forged tender documents/agreements of A-28 to A-31 and A-33, who claimed themselves to be the representatives of 10 non-existent and fictitious firms.

7. The investigation officers examined nearly 119 witnesses and collected 3129 documents and perused them. Forged tender schedules/agreement with forged signatures of fictitious persons are sent to documents expert and results were obtained. The substandard pipe ends and flanges unearthened all over the Nilgiris District and super check was conducted and samples were sent to the plastic testing centres and results were obtained Experts were called to inspect the flanges and pipe ends which are substandard and were called to inspect the flanges and pipe ends which are substandard and were called to give their opinion in this case. It is submitted that prosecution sanction order had to got for 27 Government Officials for filing final report.

8. In respect of the same case, same FIR and in respect of C.C.No.126 of 2011, the other accused viz., A1, A3, A4, A5, A8, A9, A10, A11, A12, A14, A15, A16, A17, A18, A20, A21 and A22 have filed petitions to quash in Crl.O.P.Nos.7586 of 2013, 8097 of 2012, 16320 of 2014, 14681 of 2014 and 29814 of 2014 before this Court, Chennai and the same was being allowed and the charges has been quashed by order dated 26.02.2015. In this connection, the Government of Tamilnadu preferred an appeal before the Hon'ble Supreme Court of India, New Delhi and filed a Special Leave Petition on 23.04.2016 and the Hon'ble Supreme Court of India assigned Diary Nos.14430 and 14432 of 2016. The matter is still pending with the Hon'ble Supreme Court of India.

9. The learned counsel for the petitioner would submit that the case has been registered in Cr.3/AC/88/HQ under Sections 120 (B) , 420 IPC 5(1) (d) r/w. 5(ii) of the PC Act, 1947 and 109 IPC dated 14.10.1988 after then investigation the police laid a final report against the petitioner/accused and 33 others for the offence punishable under Sections 120 (B) r/w. 409, 467, 468, 472 A, 471 r/w.467, 420 IPC and 5 (ii) (v) (i) (a) (c) and (d) of PC on 10.10.2007 before the Special Judge, District and Sessions Judge, Udhagamandalam, Nilgiris District and the same was taken on file in C.C.No.9/2008 on 23.04.2008. Further, the case was transferred to the Special Judge under the Prevention of Corruption Act, on 10.11.2007 and the same was taken on file in C.C.No.126/2011 as per GO Ms.No.889 Home (Course II Department dated 18.10.2010). This case was transferred to the Assistant Sessions Court Cum Special Court for the cases under the Prevention and Corruption Act, Udhagamandalam Nilgiris District as per GO.Ms.No.66 Course II Department. It was renumbered as C.CNo.126/2011 and it is pending trial before the Special court alleged the occurrence was said to have been taken place in the year 1982 - 1987 and even though the complaint was given in 1988, no investigation was made and there was an inordinate delay in the investigation and ultimately, charge sheet was laid only on 2007. Further he would submit that in respect of the same crime and same FIR, in respect of C.C.No.126 of 2011, the other accused viz., A1, A3, A4, A5, A8, A9, A10, A 11, A12, A14, A15, A16, A17, A18, A20,A21 and A22 have filed petitions to quash Crl.O.P.Nos.7586 of 2013, 8097 of 2012, 16320 of 2014, 14681 of 2014 and 29814 of 2014 before this Court and the same was being allowed and the charges have been quashed by order dated 26.02.2015.

10. Only on the ground of inordinate delay, the charges have been quashed in respect of other accused and even disciplinary proceedings which were initiated against the petitioner simultaneously have not been proved and they were exonerated from the charges. Under such circumstances, the case against the petitioner also ought to have been quashed.

11. On the other hand, the learned Additional Public Prosecutor would submit that against this petitioner and others in this case FIR has been registered in Cr.3/88/AC/HQ u/s.12 b r/w. 409, 467, 468, 477 A, 471 r/w. 467 and 420 IPC and Section 5 (ii) r/w. 5(i) (a) (c) and (b) of PC Act, 1947. The respondent has conducted the detailed investigation and filed a final report on 10.10.2007 and the same was taken on file in C.C.No.126/2011 on the file of the Special Court of the Directorate of Vigilance and Anti Corruption, Coimbatore. The charge sheet was filed on 10.10.2007 and submitted before

the learned District and Sessions Judge at Udhagamandalam, Nilgiris District and the same was taken on file in C.C.No.99 of 2008 on 23.04.2008 and further the case is transferred to the Special Court and Prevention of Corruption Act, Coimbatore on 10.11.2011 and the same was taken on file in C.C.No.126/2011 on 18.08.2010.

12. Further he would submit that the case was transferred to the Assistant Sessions Court cum Special Court for Prevention and Corruption Act, Udagamandalam, Nilgiril District and was re-numbered as C.C.No.29/2015 and it is pending for trial . Further, he would submit that the investigation officer examined nearly 119 witnesses and collected 3129 documents and perused them. Forged tender agreements with forged signatures of fictitious persons are sent to handwriting experts and results were obtained. The substandard pipe ends and flanges unearthened all over the Nilgiris District and super check was conducted and samples were sent to the plastic testing centres and results were obtained experts were called to inspect the flanges and pipe ends which are substandard and were called to inspect the flanges and pipe ends which are substandard and were called to give their opinion in this case. It is submitted that prosecution sanction order had to be got for 27 Government Officials for filing final report. Forged tender agreements with forged signatures of fictitious persons are sent to handwriting experts and result were obtained.

13. Further he would submit that in respect of the same case and same FIR in respect of the C.C.No.126/2011, the other accused Nos.1, 3 to 5,8 to 12,14 to 18, 20 to 22 had filed a petition to quash Crl.O.P.Nos.7586/2013, 8097/2012, 16320/2014, 14681/2014 and 29814/2014 before this Court and the same was allowed on 26.02.2015 against which, the Government of Tamil Nadu preferred an appeal before the Hon'ble Supreme Court of India and the same is pending.

14. On perusal of the records placed before this court and submissions made by the learned counsel for either side and the Criminal Original Petitions filed by this petitioner and counter filed by the respondent and other orders referred by the learned counsel for the petitioner, it is an admitted fact that an FIR in respect of an offence alleged to have been committed in the years 1984, 1985,1986 and 1987 and concerned cases have been registered on 14.10.1988 and charge sheet was filed on 10.10.2007 against the petitioner herein along with other accused in Cr.3/AC/88/HQs u/s. 120 (B) IPC 420 IPC 5 (1) (d) r/w. 5(2) of PC Act, 1947. In the meanwhile, some of the

accused have filed petitions before this court for quashing the charge proceedings and the same was allowed.

15. On careful perusal of the order passed by this court dated 26.2.2015 wherein the learned Judge of this court has referred various decisions rendered by the Apex Court and reproduce the ratio laid down by the Apex Court in some of the cases. There is no quarrel with reference to the ratio laid down by the Apex Court in various decisions referred in the order dated 26.2.2015 in Crl.O.P.Nos.7586/2013, 8097/2012, 16320/2014, 14681/2014 and 29814/2014 passed by this court.

16. In the above said order, the learned senior Judge of this court referred various decisions of the Supreme Court.

In (2002) 1 SCC 149 (Mahendra Lal Das Vs. State of Bihar and others) herein extracted the relevant portion of the judgment wherein it is stated that " the court has to decide each case on its facts having regard to all attending circumstances including nature of offence, number of accused and witnesses, the workload of the court concerned, prevailing local conditions, etc.,

In 2006 Crl.Law Journal 4765 (Moti lal Saraf V. State of Jammu and Kashmir and another) in para-52 itself, it is stated that " without there being any lapse on behalf of the appellant"

In 2007 (2) CTC 434 (K.Krishnasingh vs. State rep., by its Inspector of Police, Prohibition & Enforcement Wing, Krishnagiri District.) it is held that " it is the bounden duty of the Court and the prosecution to prevent unreasonable delay. In (2008) 16 SCC 117 (Pankaj Kumar V. State of Maharashtra and others) it is held that unless the court feels that the nature of offence and other relevant circumstances, quashing of proceedings may not be in the interest of justice".

17. In this regard, it is worthwhile to refer the counter affidavit filed on behalf of the respondent/complainant wherein para-3 of pg-2 of 2012 reads as follows:

> "As there was large scale misconduct in the implementation of the scheme was noticed, the then SP, Western Range, V & AC conducted a preliminary enquiry and found out the following facts, namely, that during 1984-1985 and 1986-1987. Thiru. B. Krishnan, EE Rural Water Division, Udhagamandalam and subsequently Thiru. M. Prabhakaran (Expired) EE, RWS, Udhagamandalam were in charge of the implementation of the scheme. Thiru. B.Krishnan

took up 21 rural water supply schemes and Thiru. M.Prabhakaran who succeeded him took 136 such schemes. Thiru. B.Krishnan accepted 52 agreements and Thiru. M.Prabhakaran accepted 1098 agreements. In this process it was found out Thiru.Krishnan as well as Thiru. Prabhakaran connived with 11 persons noted in the Enquiry Report, who styled themselves as proprietors of various companies all of which were fictitious in nature with fictitious addresses, entered into a criminal conspiracy to commit illegal acts by illegal means to commit and abet in the commission of various offences including to cheat TWAD Board between 1984-85, 1986-87 by accepting quotations at Exorbitant rate for the purchase of materials like HDPE Flanges and pipe ends for the above said scheme causing loss to TWAD Board to an extent of Rs.1,82,00,000/- Lakhs and obtained pecuniary advantage.

The said facts have been verified with the charge sheet and other available records.

18. Further it is relevant to refer para-13 (v) and (ix) which reads as follows:

(v) " the investigation officers examined nearly 119 witnesses and collected 3129 documents and perused them. Forged tender schedules/agreement with forged signatures of fictitious persons are sent to documents expert and results were obtained. The substandard pipe ends and flanges unearthened all over the Nilgiris District and super check was conducted and samples were sent to the plastic testing centres and results were obtained Experts were called to inspect the flanges and pipe ends which are substandard and were called to inspect the flanges and pipe ends which are substandard and were called to give their opinion in this case. It is submitted that prosecution sanction order had to be got for 27 Government Officials for filing final report.

(ix) "in respect of the same case, same FIR and in respect of C.C.No.126 of 2011, the other accused viz., A1, A3, A4, A5, A8, A9, A10, A11, A12, A14, A15, A16,A17, A18, A20, A21 and A22 have filed petitions to quash in Crl.O.P.No.7586 of 2013, 8097 of 2012, 16320 of 2014, 14681 of 2014 and 29814 of 2014 before this Hon'ble High Court, Chennai and the same was being allowed and the charges has been quashed by order dated 26.02.2015. In this connection, the Govt., of Tamilnadu preferred an appeal before the Hon'ble Supreme Court of India, New Delhi and filed a Special Leave Petition on 23.04.216 and the Hon'ble Supreme Court of India, assigned Diary Nos.14430 and 14432 of 2016. The matter is still pending with the Hon'ble Supreme Court of India."

The said facts have been verified with the charge sheet and other available records.

19. Further it is pertinent to mention here that the charge sheet filed on 10.10.2007 and the case was taken on file in C.C.No.9/2008 on 23.04.2008 and the case is transferred to the Court of Special Judge under the Prevention and Corruption Act, Coimbatore on 10.11.2011 and the same was taken on file in C.C.No.126/2011. Again the case was transferred to the Assistant Sessions Judge cum Special Court cases under Prevention of Corruption Act, Udhagamandalam Nilgiris on 10.09.2014 and was renumbered as C.C.No.29/2015. In the meanwhile, some of the accused filed Crl.O.P.Nos.7586/2013, 8097/2012, 16320/2014, 14681/2014 and 29814/2014 . Further the learned Additional Public Prosecutor would submit that against the said order of quash the Government of Tamil Nadu has preferred the SLP before the Hon'ble Supreme Court and it is pending. Further he would submit that in this aspect that the Apex Court held in Jagadeesh Ram Vs. State of Rajasthan reported in AIR 2015 SCP 1734 that a criminal proceeding do not observe to be quashed merely on account of delay without anything more and without going into the reasons for delay.

20. As stated above there are relevant circumstances for the delay caused for prosecution against the petitioner and others further he would submit that though the FIR was registered on 14.10.1986, this is a complicated case involving the investigation of about 140 water scheme over 141 villages all over the District of Nilgiris. The records and documents were needed to be collected as such the investigation officer examined 119 witnesses and collected 3129 documents and perused them. Forged tender agreements with forged signatures of fictitious persons are sent to handwriting experts and result were obtained. The petitioners and other accused in that case filed petitions one after another. Further some of the accused were absconded and NBWs is also pending and they are not cooperating, even for getting copies u/s.207 Cr.P.,C., So the delay is not on the part of the prosecution. This delay is on the part of the petitioner and the other accused further he would submit that the petitioner cannot approach the court u/s.482 Cr.P.C., and seek to quash the proceedings especially when there is a plenty of evidence available on records for

prima facie cases that in the exemption cases like this. Further, he would submit that offences are serious in nature like cheating, embezzlement, etc, involved in public money. Then it cannot be quashed especially when the prima facie case is made out.

21. Though this Court has inherent power and scope is very wide, it is a rule of practice that it will only be exercised in exceptional cases. Such power can be exercised to secure the ends of justice and to prevent abuse of process of court and to make such orders as may be necessary to give effect to any order in this court depending upon the facts of the given cases. However, such inherent powers are to be exercised sparingly, carefully and with caution. The High Court should not exercise their inherent power to repress a legitimate prosecution. The power to quash the criminal complaint should be used sparingly and with abundant caution. Therefore, the ratio therein is of no assistance to the facts in this case. Hence, I do not agree with the view taken in the order dated 26.02.2015.

22. Further in one of the judgments referred by them in the order itself held in "(Vakil Prasad Singh v. State of Bihar) reported in (2009) 3 SCC 355 reads as follows:

> "24. It is, therefore,......
>
> 25. Where the court comes to the conclusion that the right to speedy trial of an accused has been infringed, the charges or the conviction, as the case may be, may be quashed unless the court feels that having regard to the nature of offence and other relevant circumstances, quashing of proceedings may not be in the interest of justice. In such a situation, it is open to the court to make an appropriate order as it may deem just and equitable including fixation of time frame for conclusion of trial".

23. Considering the above said peculiar relevant facts and circumstances of the present case on hand, it is clearly shown that the delay is not without any valid reason on the part of the prosecution but whereas the delay is only on the part of this petitioner/accused and co-accused by filing petitions one after other and stalling the proceedings. Under such circumstances, this court does not agree with the view taken by the learned Senior Brother and Sister Judges in the earlier proceedings.

24. From the report submitted by the trial court, it is revealed that a copies u/s. 207 of Cr.P.C., have not been furnished to the accused so far. Wherein a reason for non-furnishing the copies of the same is only due to non-appearance of some of the accused and the NBWs are pending against those of the accused. Though, in Cr.P.C., nowhere it is stated that copies u/s.207 of Cr.P.C., has to be furnished in the presence of all the accused but so far the same have not been furnished and therefore, the learned Trial Court is directed to furnish the copy of the documents submitted by the prosecution to the petitioner u/s. 207 of Cr.P.C., and since the matter is of the year 2007 and the case is of the year 2011 after furnishing the copies of the documents frame the charges and proceed the matter on day-to-day basis and dispose the case in accordance with law within a period of six months from the date of receipt of the copy of the order.

With the above said observations, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Special Court for Directorate of
Vigilance and Anti-Corruption,
Coimbatore.

2.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Udhagamandalam.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.A.L.Ganthimathi, Advocate Sr.16704

CRL.OP.No.9104 of 2016
and
CRL.M.P.No.4715/2016

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srg 16/12/2016