



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2017

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THE HONOURABLE MR.JUSTICE B.GOKULDAS

CRL.OP.(MD)No.6078 of 2016

G.Kumar

.. Petitioner

Vs.

1. The Director,
Vigilance and Anticorruption,
NCB 21-28, P.S.Kumarasamy Raja Road,
Raja Annamalaipuram, Chennai-28.
2. The Deputy Superintendent of Police,
Vigilance and Anticorruption,
Tirunelveli District, Tirunelveli.
3. TYD-245, Tirunelveli District Co-operative
Milk Produces Union Ltd., Rep. by
its General Manager,
P.Ramannathan, Having Office at
Reddiyarpatti Road, Perumalpuram Post,
Tirunelveli District 627 007.
(R-3 is impleaded vide order dated 04.01.2017)

.. Respondents

Prayer: Criminal Original petition filed under Section 482 of Cr.P.C., to grant direction, directing the second respondent to take the complaint of the petitioner dated 07.03.2016 into investigation and register the same in accordance with law and file final report before the concerned Judicial Magistrate Court, within the time limit that may be stipulated by this court.

For Petitioner : Mr.A.S.Vaigunth

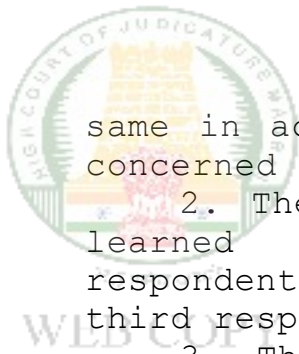
For R-1 & R-2 : Mrs.S.Prabha

Government Advocate(Crl.Side)

For R-3 : Mr.P.Chellapandian

O R D E R

This Criminal Original petition has been filed seeking a
<https://hservices.ecourts.gov.in/hservices/> to the second respondent to take the complaint of the
petitioner dated 07.03.2016 into investigation and to register the



same in accordance with law and to file final report before the concerned Judicial Magistrate Court, within a time frame.

2. The learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondents 2 and 3 and the learned counsel appearing for the third respondent are present and heard both sides.

3. The learned Government Advocate(Crl. Side) would submit that the first respondent/Directorate of Vigilance and Anti-Corruption, Chennai, has sent a letter in No.P.E.335/2016/AAVIN/TI, dated 04.11.2016, directing the Inspector of Police, V&AC, Tirunelveli District, to register and conduct a Preliminary Enquiry against the third respondent/General Manager, Aavin, Tirunelveli and Tmt.Kasthuribai, Deputy Registrar, Aavin, Tirunelveli District and to submit the Preliminary Enquiry Report. The enquiry is pending and under the enquiry, the petition will also be considered, if he co-operates with the enquiry.

4. In such circumstances, since the enquiry is pending under the appropriate authority and they have not finalised till today, nothing will survive in the prosecution. Hence, the Criminal Original petition is dismissed. However, the second respondent is directed to complete the enquiry as early as possible to proceed further in accordance with law.

Sd/-

Assistant Registrar[C]

/True copy/

Sub Assistant Registrar

To

1. The Director,
Vigilance and Anticorruption,
NCB 21-28, P.S.Kumarasamy Raja Road,
Raja Annamalaipuram, Chennai-28.
2. The Deputy Superintendent of Police,
Vigilance and Anticorruption,
Tirunelveli District, Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to MR.S.CHELLAPANDIAN,ADVOCATE,SR.720

+1CC to MR.G.THALAIMUTHURASU,ADVOCATE,SR.1170

CRL.OP. (MD)No.6078 of 2016

04.01.2017