



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Crl.R.C (MD) .No.188 of 2016

and

CRL.M.P (MD) NO.2634 OF 2016

U.Theradian ... Petitioner/Petitioner/Accused No.3
-Vs-

The Inspector of Police,
Vigilance and Anti Corruption,
Sivagangai. ... Respondent/Respondent/Complainant

Prayer : Criminal Revision Case filed under Section 397 r/w 401 and 482 of the Code of Criminal Procedure, praying this Court to set aside the order dated 26.8.2014 made in Crl.M.P.No.73 of 2014 in Special C.C.No.55 of 2014 on the file of the Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai.

For Petitioner : M/s.K.Seemaraj

For Respondent : Mr.C.Mayil vahana Rajendran

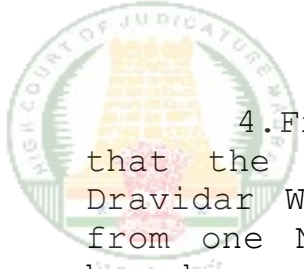
Additional Public Prosecutor (Crl. Side)

O R D E R

This Criminal Revision Petition has been filed, challenging the order of dismissing the application filed by the Petitioner to discharge him from all criminal charges.

2.The Petitioner along with two other persons were charged for the offences under Sections 120-B, 420, 168, 465, 467 and 468 of IPC r/w Section 109, 471 and 13(2) r/w13(1)(d) of the Prevention of Corruption Act, 1988. The Petitioner filed a petition to discharge him from all the criminal charges as there is no material to proceed against him, when he has worked as Superintendent in the Adi Dravidar Welfare Department. Only on the confession of A1 and A2 he has been implicated and he has no mens-rea to commit the offence. The Court below after considering the case, dismissed the application holding that there are material evidence against him to proceed with the crime. Challenging the same, the present revision has been filed.

3.I have heard the submissions of Mr.K.Seemaraj, learned counsel for the Petitioner and Mr.C.Mayilvahana Rajendran, learned Additional Public Prosecutor appearing for the respondent/State carefully and perused the materials placed before this Court.



4. From the material available on record, it could be seen that the Petitioner is working as Superintendent in the Adhi Dravidar Welfare Department and purchased two colour Televisions from one National Associate, Madurai. But in the voucher, it has been mentioned that they have purchased the TV from one Kovilpatti Society. The materials available on record would show that the Petitioner also prepared a bill as if the TV has been purchased from Kovilpatti Society. Hence, there is a prima facie case available to proceed against the Petitioner and I find no illegality or irregularity in the order of the Court below. This Court finds no merit in the revision.

5. Accordingly, the Criminal Revision Case is dismissed. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Vigilance and Anti Corruption,
Sivagangai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.SEEMARAJ, Advocate, SR No. 63870

VSN

PSM/KP/SAR1/18.07.2017/2P/4C

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