

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.3577 of 2018

N.S.Senthil Kumar

.. Petitioner

Vs.

1.The State Represented by
The Inspector of Police,
Vigilance and Anti-Corruption,
Kanchipuram District.
Crime No.4/AC/2012/KM

2.P.Jayavel

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the entire records in Crime No.4/AC/2012/KM dated 29.08.2012, pending on the file of the repondent/police and quash the same.

For Petitioner : Mr.N.Ravichandran

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor

ORDER

The present petition has been filed seeking to quash the First Information Report in Crime No.4/AC/2012/KM dated 29.08.2012, pending on the file of the repondent/police. Normally, the Court don't entertain quashing the FIR following the principle laid down by the Hon'ble Supreme Court in the case of State of Haryana and Anothers Vs. Ch.Bhajan Lal and others dated 21.11.1990. However, in this case, the peculiar facts require interference of this Court. The FIR registered on 29.08.2012 alleging demand and receipt of bribe under investigation for more than 5 years and now the learned Public Prosecutor submits that as early as on 08.11.2013, the Investigation Officer after examining 14 witnesses and 8 documents has opined that there is no material to prosecute the petitioner herein before the Court of law. However, for the

misconduct and dereliction of duty he may be tried under conduct rules by initiating departmental proceedings.

2. Considering, this report of the Investigation Officer, the Government have issued G.O. (2D) No.22, dated 08.11.2013 accepting to the proposal to stop further action on the First Information Report and to initiate departmental proceedings consulting the administrative department.

3. Recording the same, the Criminal Original Petition is disposed of as infructuous.

-sd/-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sjj

To

1.The Inspector of Police,
Vigilance and Anti-Corruption,
Kanchipuram District.
Crime No.4/AC/2012/KM.

2.The Public Prosecutor,
High Court, Madras.

+1 C.C. to Mr.Ravichandran Advocate SR.NO.9293

Cr1.O.P.No.3577 of 2018

VS 26.02.2018

सत्यमेव जयते

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