

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.04.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.10825 of 2018  
and CrI.M.P.No.5535 of 2018

L.Babu

... Petitioner

Vs.

1 State by  
The Inspector of Police,  
Vigilance and Anti Corruption,  
Tiruppur, Tiruppur District.

2 N.Ravichandran ... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the entire records concerned in Cr.No.3 of 2017 on the file of the Inspector of Police, Vigilance and Anti Corruption, Tiruppur, Tiruppur District and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr. C.Prakasam  
For R1 : Mr. K.Prabakar  
Additional Public Prosecutor

ORDER

Petition is filed by the second accused to quash the First Information Report registered against him for an offence under Section 120(B) IPC and 13(2) r/w 13(1)(d) of Prevention of Corruption Act.

2 The petitioner is a Revenue Inspector of Ugayanur village, Tiruppur South. The First Information Report reveals that when there was scheme for issuance of Grama Housing Patta to the landless citizen during the year 2009, the petitioner herein, being the Revenue Inspector of concerned village, in connivance with the Panchayat President, has recommended names of six persons, who already owned land.

3 The learned counsel for the petitioner would submit that for the incident that took place in the year 2009, where the petitioner only forwarded the recommendation of the Village Administrative Officer based on the resolution of the Panchayat, a complaint was filed in the year 2015 and after preliminary

enquiry, FIR has been registered on 27.06.2017. So, considering the delay and the minimum role played by the petitioner, who merely forwarded the recommendation of the Village Administrative Officer, will not cast upon him any criminal liability.

4 The learned Additional Public Prosecutor submits that the report of the petitioner herein with the incorrect statements favouring the close-relatives of A1, had misled the Tahsildar to grant patta and only after sustained preliminary enquiry FIR has been registered. It was only in the year 2015, the crime came to light based on the complaint of one Deivasigamani. Since, the investigation prima facie indicates the role of the petitioner herein, initiation of prosecution against the petitioner is legal.

5 This is not an appropriate case to interfere with the investigation merely on the ground of delay. It is for the Investigation Officer independently to conclude his investigation and file a final report within a reasonable time. Hence, the petition stands dismissed. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl

To

1 The The Inspector of Police,  
Vigilance and Anti Corruption,  
Tiruppur, Tiruppur District.

2 The Public Prosecutor.  
High Court, Madras.

GMI (CO)

RRK(15/05/2018)

Crl.O.P.No.10825 of 2018