



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.06.2018

CORAM
THE HON'BLE MRS.JUSTICE R.THARANI
Crl.O.P.(MD) No.10515 of 2018

A.Muthukumar

... Petitioner

Vs.

1.The Director of Vigilance & Anti Corruption,
No.293, MKN Road, Alandur Post,
Chennai - 16.

2.The Director of Enforcement Department,
South Region, Thousand Lights Post,
Chennai - 16.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct respondents herein to register the complaint against the proposed accused namely A.V.Tharsis, who is working as Forest Range Officer under Sections 120B, 420, 409, 466 of the Indian Penal Code read with Section 9 of the Prevention of Corruption Act, 1988, on the complaint of the petitioner, dated 12.06.2018.

For Petitioner	:	Mr.A.Rajaram
For Respondents	:	Mr.M.Chandrasekaran Additional Public Prosecutor

O R D E R

This petition is filed to direct respondents to register a complaint against the proposed accused namely A.V.Tharsis, who is working in the Forest Range Officer, based on the complaint given by the petitioner, dated 12.06.2018.

2.On the side of the petitioner, it is stated that the proposed accused is working as a Forest Ranger Officer in charge of the Tirunelveli Range and he has obtained properties exorbitant to his income by getting illegal gratification. Moreover, the proposed accused has deposited Rs.50,00,000/- (Rupees Fifty Lakhs only) in the I.C.I.C.I Bank, Papankulam Village Forest Committee Account at the time of Demonetization. Then he has withdrawn that huge amount after some days. This was purely black money and he got that amount by illegal gratification. It is stated that the proposed accused is about to retire soon i.e. on 30.06.2018 and proposed accused is punishable under Sections 120B, 420, 409, 466 of the Indian Penal Code read with Section 9 of the Prevention of



Corruption Act, 1988, and the case to be registered before his retirement.

3. On the side of the respondents, it is stated that the complaint of the petitioner was received by the first respondent only on 15.06.2018 and according to as per instructions issued in Govt. Memo No.1356/64/2, Public(Services-B) dated 08.04.1964 and incorporated in para 10 (3) of the Manual of the DVAC, the complaint was forwarded by the Director of Vigilance and Anti-Corruption (DVAC) to the Principal Chief Conservator of Forest and the Department is waiting for the report from the Principal Chief Conservator of Forest. Since the matter is pending before the Principal Chief Conservator of Forest, the respondents are not in a position to register the case at the present stage.

4. In this circumstances, this Court directed the Principal Chief Conservator of Forest, to verify records and to conduct enquiry and then to file report before the respondent if anything is made out against the proposed accused within a period of six weeks.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar(Crl Side)

/True copy/

Sub Assistant Registrar

To

1. The Director of Vigilance & Anti Corruption,
No.293, MKN Road, Alandur Post,
Chennai - 16.

2. The Director of Enforcement Department,
South Region, Thousand Lights Post,
Chennai - 16.

3. The Principal Chief Conservator of Forest,
1, Geenis Salai, Panagal Building,
Chennai - 15.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.RAJARAM, Advocate, SR.No. 70145

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