



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2018

CORAM:

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.R.C(MD)No.377 of 2018

1.Ramasamy
2.Ramalingam
3.Venkatesan
4.Singamuthu
5.Jeevanandham
6.Sarosanam
7.Pandiarajan

: Petitioners/
Accused 3,4,5,7,8,10 and 12

Vs.

The Inspector of Police,
Vigilance and Anti Corruption,
Sivagangai.
[Crime No.7 of 2009]

: Respondent/ Complainant

PRAYER: Revision filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to set aside the order passed by the learned Special Sessions Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai in Crl.M.P.No.122 of 2017 in Spl.C.C.No.5 of 2016, dated 11.05.2018.

For Petitioners : Mr.So.Paramasivam

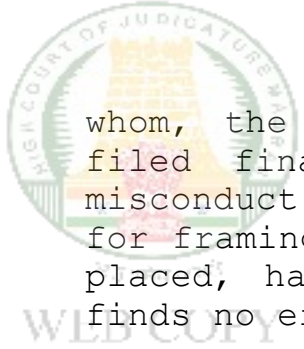
For Respondent : Mr.A.Robinson,
Government Advocate (Crl. Side).

ORDER

This Criminal Revision Case is filed praying to set aside the order dated 11.05.2018 made in Crl.M.P.No.122 of 2017 in Spl.C.C.No.5 of 2016 on the file of the learned Special Sessions Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent police.

3.Referred the impugned order, which is under challenge in this revision petition. The petitioners are forest officials, against



whom, the Vigilance and Anti Corruption Wing of Sivagangai has filed final report alleging conspiracy, breach of trust and misconduct by public servant. Since there are materials available for framing charge, the Trial Court after considering the material placed, has dismissed their petition for discharge. This Court finds no error in the order dismissing the discharge petition.

4.The learned counsel for the petitioners would submit that the petitioners are senior citizens and they have retired long back and settled at various places in the State and they find difficult to attend every hearing in person. The learned counsel for the petitioners would also submit that the First Information Report was registered in the year 2009, and the final report was filed in the year 2016, after a lapse of seven years, which has caused great prejudice to them. But these points may not be a ground to entertain discharge petition. However, if reasonable cause is shown by these petitioners for non-appearance on the hearing dates, the Trial Court shall consider it and pass appropriate orders.

5.With the above observations, this Criminal Revision Case is dismissed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar((CS-III)

To

1. The Special Sessions Judge,
Special Court for Trial of Cases
under Prevention of Corruption Act,
Sivagangai.
2. The Inspector of Police,
Vigilance and Anti Corruption,
Sivagangai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SMN
VB/SKN/SAR3/24.08.2018/2P/4C