



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cr1.OP.(MD)No.12403 of 2018

WEB COPY

V.Ramasubbu

.. Petitioner/ Petitioner

Vs.

The Deputy Superintendant of Police,
Vigilance and Anti Corruption,
Tuticorin District,
(Crime No.03 of 2006)

.. Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction, directing the Learned Special Court for Prevention of Corruption cum Chief Judicial Magistrate, Tuticorin to send for documents dated 03.11.2011 in 1C/2008/AO pertaining to Mr.V.S.Ramasubbu at the office of the Executive Engineer, Tuticorin (Construction and Maintenance) pertaining to document no.5 in Sanction Letter issued by Chief Engineer within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathiroy
For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

ORDER

The petition filed by the accused, seeking indulgence of this Court to direct the Chief Judicial Magistrate, Thoothukudi to send for the records dated 03.11.2011 in 1C/2008/AO, pertaining to Mr.V.S.Ramasubbu, at the office of the Executive Engineer, Tuticorin (Construction and Maintenance) specifically to document No.5, in the sanction letter issued by the Chief Engineer.

2. The document No.5, which is mentioned in the petition is the subsequent letter for approving the sanction made by the Vigilance & Anti Corruption Authorities. The background of this petitioner is that, earlier, the petitioner approached this Court by filing Cr1.O.P.(MD) No.4574 of 2017, wherein, this Court, by order dated 17.01.2015 gave directions to the trial Court to accept the photocopies of the document Nos.3, 4 & 5 as secondary evidence, since the primary evidence has been lost.

3. Document Nos.3, 4, & 5, namely, requisition of Vigilance & Anti Corruption Authorities, Chennai, according sanction for prosecution, refusal of letter to accord sanction sent to the Vigilance & Anti Corruption Authorities by Thiru Jayaraman, Engineer



S.E., P.W.D., Thoothukudi and subsequent request for sanction by Vigilance & Anti Corruption Authorities respectively.

4. Learned Additional Public Prosecutor appearing for the respondent would submit that, these three documents were already marked by the defence, while examining the Investigating Officer/P.W.14 and therefore, the petitioner's prayer has become infructuous.

5. Learned counsel appearing for the petitioner would admit that the communications referred as document Nos. 3,4 & 5 were marked as Exhibits on the defence side.

6. Recording the same, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1) The Special Court for
Prevention of Corruption cum
Chief Judicial Magistrate,
Tuticorin.

2) The Deputy Superintendant of Police,
Vigilance and Anti Corruption,
Tuticorin District.

+1CC to Mr.T.Lajapathiroy, Advocate, SR.No.78148

Order made in
Crl.OP.(MD)No.12403 of 2018
10.08.2018

STS

ES/RP/SAR 3/17.09.2018/2P/4C