

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.No.22122 of 2019

K.Arjunan

... Petitioner

Vs.

1.The Director of Vigilance and Anti-Corruption,  
Office at 293, MKN Road, Alandur,  
Chennai - 600 016.

2.The Additional Superintendent of Police,  
Vigilance and Anti-Corruption,  
No.B,3 Rajaji Street, Swarnapuri,  
Salem - 636 004.

3.Padmaraj

[R3 is impleaded as per  
order in Crl.M.P.No.16257 of  
2019 in Crl.O.P.No.22122 of  
2019 dated 08.11.2019.]

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to grant an order of direction, directing the respondents to forthwith register a case on the basis of the complaint of the petitioner dated 30.07.2019 to investigate and file a final report before the competent court.

For Petitioner : Mr.K.Selvaraj  
For Respondents : Mr.C.Iyyapparaj,  
Additional Public Prosecutor  
for R1 and R2  
Mr.M.Govindaraju for R3

O R D E R

This Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, for an order of direction, directing the respondents to forthwith register a case on the basis of the complaint of the petitioner dated 30.07.2019 to investigate and file a final report before the competent court.

2. The learned counsel appearing for the petitioner would submit that though the petitioner had filed a complaint before the respondents Police on 30.07.2019 with regard to the high-

handedness of Kumar, Inspector of Police, Annadhanapatti Police Station, who forced the petitioner to sell the property in favour of one Padmaraj, who was impleaded as 3<sup>rd</sup> respondent herein, the respondents Police did not take any action against the same. He would further submit that without going into the merits of the case, this court may direct the respondents 1 and 2 to conduct the enquiry and pass appropriate orders within a time stipulated by this court.

3. Mr.C.Iyyapparaj, learned Additional Public Prosecutor appearing for the official respondents viz., respondents 1 and 2 would submit that immediately after registering the complaint dated 30.07.2019, the DVAC found that the allegations made by the petitioner is general in nature and accordingly forwarded the same to the Superintend of Police, Namakkal for appropriate enquiry. The Superintend of Police, Namakkal conducted a discrete enquiry and filed a report stating that the complaint made by the petitioner is an exaggerated one.

4. However, the Inspector of Police, DVAC appeared before this court and on instructions, learned Additional Public Prosecutor appearing for the State would submit that DVAC Department would pass appropriate orders on the complaint dated 30.07.2019 after considering the report filed by the Superintend of Police, Namakkal within a time stipulated by this court.

5. The learned counsel appearing for the 3<sup>rd</sup> respondent would submit that the complaint is an exaggerated one and further the petitioner received the sale consideration by way of cheques and subsequently encashed the same. In order to achieve something the petitioner has given this exaggerated complaint.

6. Considering the submissions made by the counsels on either side, this Court without going into the merits of the case, is inclined to issue a direction to the respondents 1 and 2 to conduct preliminary enquiry and pass appropriate orders on the complaint dated 30.07.2019 and communicate the same to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Original Petition is disposed of.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

- 1.The Director of Vigilance and Anti-Corruption,  
Office at 293, MKN Road, Alandur,  
Chennai - 600 016.
  - 2.The Additional Superintendent of Police,  
Vigilance and Anti-Corruption,  
No.B,3 Rajaji Street, Swarnapuri,  
Salem - 636 004.
  - 3.The Superintendent of Police  
Namakkal
  - 4.The Section Officer,  
Criminal Records,  
High Court of Madras, Chennai.
  - 5.The Public Prosecutor  
High Court, Madras 104.
- +1 CC to Mr.M.Govindaraju, Advocate sr 103169  
+1 CC to Mr.K.Selvaraj, Advocate sr 102437.

Crl.O.P.No.22122 of 2019

GMR(CO)  
SP(29/01/2020)