

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.20608 of 2020
and Crl.M.P.No.8685 of 2020

E.Pandiyan Petitioner/Accused No.6

Vs.

State represented by
The Inspector of Police,
Vigilance and Anti-Corruption
Head Quarters,
Directorate of Vigilance and
Anti-Corruption,
Chennai.
(Crime No.5 of 2020)

..... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
to quash the FIR in Crime No.5 of 2020 pending on the file of
the respondent pending investigation.

For Petitioner : Mr.S.Suresh

For Respondent : Mrs.P.Kritika Kamal
Government Advocate
(Crl.Side)

O R D E R

सत्यमेव जयते

This criminal original petition has been filed seeking to
quash the FIR in Crime No.5 of 2020 pending on the file of the
respondent pending investigation.

2. On intelligence that bribe monies are freely flowing
like water in the office of the Tahsildar, Sholinganallur, the
Vigilance and Anti-Corruption conducted a surprise raid on
06.03.2020, of course with the prior approval of their superiors
and seized Rs.1,24,000/- from the office, for which, none of
them were able to properly account for.

3. Thereafter, the Vigilance and Anti-Corruption registered a regular FIR in Crime No.5 of 2020 on 09.03.2020 for the offences under Sections 7 and 12 of the Prevention of Corruption Act, 1988 (for brevity "the PC Act"), against eight named individuals including the petitioner herein, who has been shown as A6, for quashing which, the petitioner is before this Court under Section 482 Cr.P.C.

4. Heard Mr.S.Suresh, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl.Side) appearing for the respondent/State.

5. The learned counsel for the petitioner took this Court through the FIR and submitted that even as per the averments in the FIR, the petitioner had come to the Tahsildar office only in connection with a patta application, despite which, he has been arrayed as A6.

6. It is true that when the officials questioned the petitioner, who was present in the office of the Tahsildar at the relevant point of time, he told them that he had come there in connection with a patta application. This has been recorded in page no.11 of the FIR. However, it is also recorded that the petitioner, Venkatesan and Selvaraj, were actually brokers, who were employed by the revenue officials in the office of the Tahsildar, Sholinganallur.

7. In the light of this allegation, it is premature to quash the FIR at the threshold of the investigation and if the petitioner is not involved in any offence, it is needless to state that he should not be included in the final report, if any.

With the above observation, this criminal original petition stands closed. Connected Crl.M.P. is closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

nsd
To

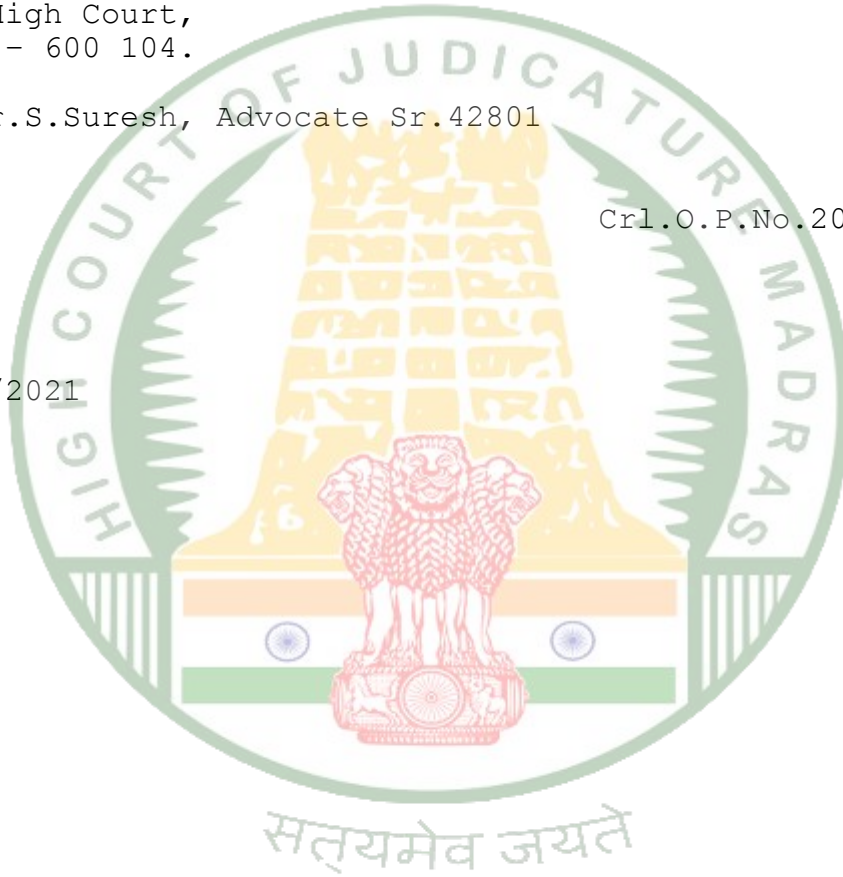
1.The Inspector of Police,
Vigilance and Anti-Corruption
Head Quarters,
Directorate of Vigilance and
Anti-Corruption,
Chennai.

2.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.S.Suresh, Advocate Sr.42801

Crl.O.P.No.20608 of 2020

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