



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11839 of 2020

1.M.Selvaraju

2.B.Venkatachalam

3.P.P.Rajendran

4.A.Farook Ali

...Petitioners / Accused Nos.1 to 4

Vs

State through the Deputy
Superintendent of Police,
Vigilance and Anti Corruption Wing,
Trichy in Cr.No.5 of 2015

...Respondent

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records in relating to Spl.C.No.2 of 2018 on the file of the Special Court for PC cases, Tiruchirappalli and quash the same against the petitioners.

For Petitioners	: Mr.K.S.Muthu
For Respondent	: Mr.S.Chandrasekar
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for quashing the Special Case No.2 of 2018 on the file of the Special Court for PC cases, Tiruchirappalli in so far as A1, A2, A3 & A4 are concerned.

2.The learned counsel for the petitioners points out that A5 and A6 in this impugned case filed Crl.O.P.(MD)No.11484 of 2019 and that, this Court had allowed the said quash petition on 25.11.2019.

3.I am of the view that the reasons assigned by this Court for quashing the proceedings at the instance of A5 and A6 would apply with equal force in respect of the present petitioners also. The case relates to spending of a sum of Rs.13, 576/- towards purchase of the flight tickets for the Hon'ble Transport Minister and his entourage. I had specifically given a finding that it is not the allegation of the prosecution that the transport Minister did not travel in the said flight. The only allegation is that the accused did not verify with the boarding pass. It has now been convincingly established that the Managing Director is very much having the power to sanction the said expenditure. The same has



also been subsequently approved by the Board. I had also given a specific finding that the essential ingredients of the offences in question have not been made out.

4.I posed a specific question to the learned Additional Public Prosecutor as to whether the order dated 25.11.2019 in Crl.O.P. (MD)No.11484 of 2019 has been challenged before the Hon'ble Supreme Court. The learned Additional Public Prosecutor would respond that the matter is awaiting opinion and that they are yet to file any SLP before the Hon'ble Supreme Court. Therefore, adopting the very same reasoning set out in the earlier order, the impugned proceedings stand quashed and this Criminal Original petition is allowed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note.In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Trichy.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.11839 of 2020
02.12.2020

KM(CO)

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