

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.03.2021
CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.5723 of 2021

G.Mani
S/o.Govinda Gounder

... Petitioners/Accused 1

Vs.

The State Represented by its Inspector of Police
Vigilance and Anti Corruption
Vellore Detachment, Vellore

...Respondent/ Investigating Officer

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., seeking to direct the respondent to file final report in crime No.7 of 2012 before the Chief Judicial Magistrate, Vellore within a period of two months.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Mr.T.Shunmuga Rajeshwaran
Government Advocate (Crl. Side)

O R D E R

(This case has been heard through video conference)

This Criminal Original Petition has been filed by the petitioner seeking to direct the respondent to file final report in Crime No.7 of 2012 before the Chief Judicial Magistrate, Vellore within a period of two months.

2. The case of the petitioner is that he is arrayed as A1 in Crime No.7 of 2012 registered by the respondent for offence under Section 13(1) (d) of Prevention of Corruption Act 1988 and under Section 120B, 467, 468, 471, 420 IPC and that the case was registered when the petitioner was functioning as an Executive Engineer at Vellore Division. The petitioner got superannuated from the service during the year 30.06.2015. The petitioner at the relevant time was working as an Executive Engineer in the Agricultural and Engineering Department and due to pendency of the case, he was not permitted to retire from the service and that his terminal benefits have not been paid till date despite, the petitioner having superannuated on 30.06.2015.

3. The learned Counsel the petitioner would submit that the petitioner is an innocent and that the petitioner has not been paid any benefits for the past 6 years. He would further submit that the investigation has not been completed and the final report has not been filed and thereby, the petitioner is put to unnecessary hardship and struggle. Hence, the present petition has been filed seeking to direct the respondent to file final report in Crime No.7 of 2012.

4. The learned Government Advocate (Crl. Side) would submit that the investigation is almost completed and that 72 witnesses have been examined and 114 documents have been scrutinized. He would submit that there are two sets of allegations in respect of two different periods and thereby, the respondent has to file two charge sheets. He would further submit that the petitioner is arrayed as an accused in the first final report.

5. At this juncture, the learned Counsel for the petitioner would submit that the alleged occurrence is said to have taken place during the year 2008 and 2009 and though the case is registered in the year 2012, it is still kept pending.

6. The learned Government Advocate (Crl. Side) would reiterate that the investigation has been completed and the matter is pending for opinion with the legal officers and that the respondent would be able to file the final report within a period of 4 months.

7. Taking into consideration the above facts and submissions, the respondent is directed to file the final report in respect of Crime No.7 of 2012 pending on his file within a period of three months from today i.e. 24.03.2021.

8. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Ksa-2

To

1. The Inspector of Police
Vigilance and Anti Corruption
Vellore Detachment, Vellore

2. The Public Prosecutor,
High Court of Madras,
Chennai.

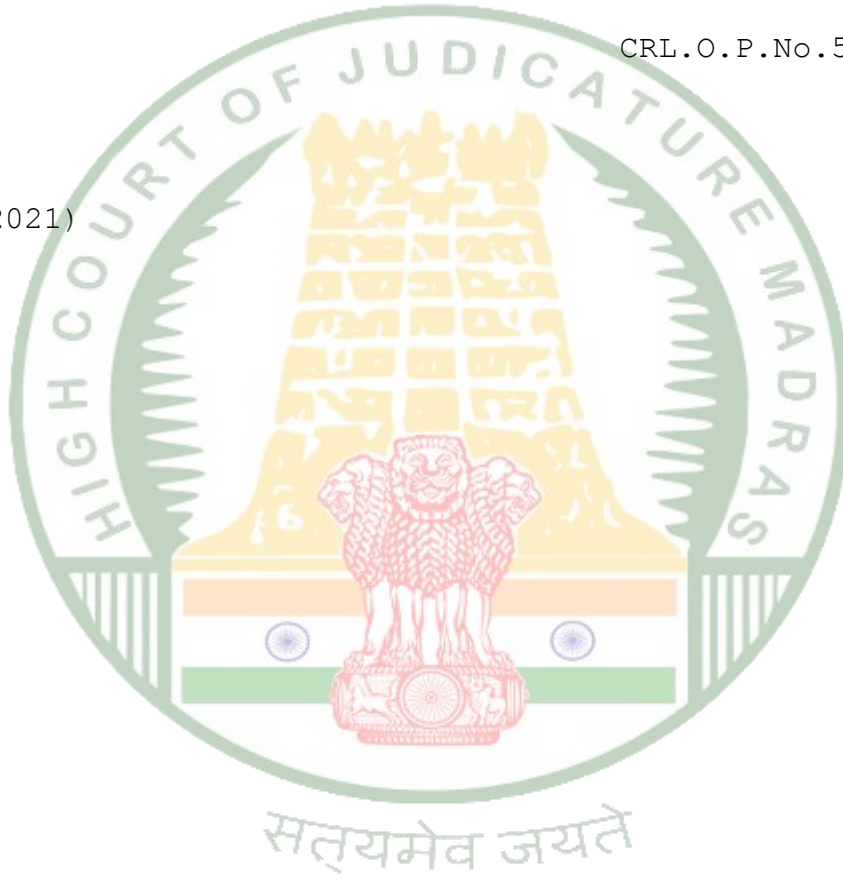
Copy To

The Chief Judicial Magistrate,
Vellore.

+lcc to Mr.V.Vijay Shankar, Advocate, S.R.No.19070

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AK II(CO)
GN(07/04/2021)



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