



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 06.09.2021

PRONOUNCED ON: 15.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Cr1.O.P.No. 10805 of 2021

And

Cr1.M.P.No. 6432 of 2021

1. Velusamy
2. Shanthi ... Petitioners/Accused 1 & 2

Vs.

The Deputy Superintendent of Police
Vigilnce and Anti-Corruption Wing, Erode
Crime No. 3 of 2018 ... Respondent/complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records with respect to Crime No. 3 of 2018/AC pending on the file of respondent and quash the same.

For Petitioners	:	Mr. ARL.Sundaresan Senior Counsel for Mr. R.Nalliyayappan
For Respondent	:	Mr. E.Raj Thilak Government Advocate (Cr1.Side)

ORDER

This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure by the accused in Crime No. 3 of 2018 / AC pending on the file of the Deputy Superintendent of Police, Vigilnce and Anti-Corruption Wing, Erode. The said Crime No. 3 of 2018 had been registered under Section 13(2) read with 13(1)(e) of Prevention of Corruption Act 1988 and under Section 109 Indian Penal Code, 1860.

2. The first petitioner was working as Joint Transport Commissioner, Rules and Road Safety, Chennai. The second petitioner is his wife.



WEB

3. It is the case of the prosecution that the first petitioner had acquired pecuniary resources and properties disproportionate to his known sources of income. The first petitioner claimed that he was born in an agricultural family at Keerambur Village, Namakkal District and his parents are looking after their agricultural lands. The second petitioner is a house wife. She purchased landed properties in her name, shares of Algrain Products Private Limited and also made capital investment in Tool Tech (P) Limited. It is also stated that the check period had been fixed between 01.04.2009 and 30.06.2015. It was claimed that the petitioners had acquired property in excess of their known sources of income.

4. The case was registered four days before retirement on 25.06.2018. The first petitioner claimed that he had purchased the properties only during his service period. Agriculture properties had been purchased by his grandfather and father. The second petitioner purchased agricultural land in their native village Keerambur Village. She started her own business in 1998 in the name of Algrain Products Pvt. Ltd., along with three other persons as shareholders. She obtained finance from Canara Bank, Hosur Branch. They also purchased shares from Algrain Products Pvt. Ltd. She had totally purchased 224600 shares each of the face value of Rs.10/-. It was stated that she had also started a partnership firm in the year 1998 by name Tool Tech. The capital of Rs.2/- lakhs was subjected to income tax. The house had been constructed at the value of Rs.48/- lakhs during 2009-2011 for which loan had been obtained from State Bank of India, Namakkal Town Branch. The innova car had been purchased in the year 2014 with loan from State Bank of India, Namakkal Town Branch. The commercial complex was originally brought by the father of the petitioners in the year 1993 and construction was done by obtaining loan from Bank of Baroda, Namakkal Branch.

5. It is the case of the petitioners that the properties had been acquired from own sources of income of the second petitioner and the father of the first petitioner. It was therefore been claimed that they are not disproportionate to his sources of income. It was also stated that the case had been registered in the year 2018 and for more than four years, the respondent was not able to file charge sheet. It is under these circumstances that the petition has been filed seeking to



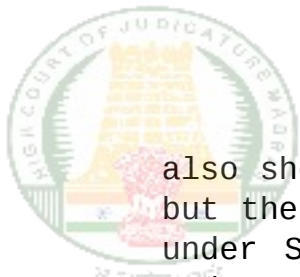
quash Crime No. 3 of 2018/AC on the file of the respondent police.

6. A counter had been filed by the Inspector of Police, Vigilance and Anti Corruption, Namakkal District, who is the Investigating Officer. She stated that information had been received that the first petitioner was in possession of pecuniary resources and properties disproportionate to his known sources of income and enquiry was also conducted. It had been stated that the check period had been determined to run from 01.04.2009 to 30.06.2015. It had been stated that the first petitioner had obtained properties amounting to Rs.1,29,27,540/- during the check period. It was stated that the properties were disproportionate to the known sources of income. The first petitioner was a public servant. It is under these circumstances that Crime No.3 of 2018/AC had been registered under Section 13(2) read with 13(1)(e) of Prevention of Corruption Act 1988 and 109 IPC. It had been stated that the investigation in progress and documents had been recovered during the course of investigation. Totally 21 witness had been examined and 25 documents have been collected from various departments. It had been stated that there was no ulterior motive in registering the First Information Report. It had been stated that the petition should be dismissed.

7. Heard Mr.ARL.Sundaresan, learned Senior Counsel for the petitioners and Mr.E.Raj Thilak, learned Government Advocate appearing for the respondent.

8. The first petitioner is a public servant. He was working as Joint Transport Commissioner, Rules and Road Safety Chennai. He was due to superannuate on 30.06.2018. On 25.06.2018, a First Information Report in Crime No. 3 of 2018 came to be registered on the file of the Deputy Superintendent of Police, Vigilance and Anti-Corruption Wing, Erode. The said First Information Report was registered on the basis of information received.

9. A perusal of the First Information Report shows that information had been received on 15.12.2017. Thereafter, it had also been recorded that a preliminary enquiry had been conducted and thereafter a case had been registered. The First Information Report was registered on 25.06.2018 and an entry is



WEB COPY

also shown to have been made in the General Diary on 25.06.2017, but the correct date/year is 25.06.2018. It had been registered under Section 13(2) read with 13 (1) (e) of PC Act 1988 and under Section 109 IPC.

10. In the First Information Report, it had been stated that the first petitioner was in possession of pecuniary resources and properties disproportionate to his known sources of income. The check period was determined as 01.04.2009 to 30.06.2015. The assets at the beginning of the check period, the assets at the end of the check period, the income during the check period, the expenses during the check period, had been given and thereafter, the disproportionate assets had also been given, after taking into account, the likely savings.

11. It had been stated that therefore, the information disclosed commission of offence as defined under Section 13(1)(e) of PC Act 1988.

12. In the counter, it had been very specifically stated that the investigation is progressing but owing to pandemic, it could not progress since documents had to be collected and witness had to be examined from various area, where the first petitioner served and from various Government related departments. It had been stated that statements of 21 witnesses had been recorded and 25 documents had been collected from various Government Department. It is seen that therefore, the investigation is on going.

13. I have given my careful consideration to the arguments advanced by both Mr. ARL. Sundaresan, learned Senior Counsel for the petitioners and Mr. E.Raj Thilak, learned Government Advocate (Crl. Side) appearing for the respondent.

14. Even before entering into a discussion on the aspects raised, it would be worthwhile to examine the guidelines given by the Constitution Bench of the Hon'ble Supreme Court in 2014 (2) SCC 1 [Lalita Kumari Vs. Government of U.P & Ors.]

" 120. In view of the aforesaid discussion, we hold:



WEB COPY

120.1. The registration of FIR is mandatory under Section 154 of the Code, if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation.

120.2. If the information received does not disclose a cognizable offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether cognizable offence is disclosed or not.

120.3. If the inquiry discloses the commission of a cognizable offence, the FIR must be registered. In cases where preliminary inquiry ends in closing the complaint, a copy of the entry of such closure must be supplied to the first informant forthwith and not later than one week. It must disclose reasons in brief for closing the complaint and not proceeding further.

120.4. The police officer cannot avoid his duty of registering offence if cognizable offence is disclosed. Action must be taken against erring officers who do not register the FIR if information received by him discloses a cognizable offence.

120.5. The scope of preliminary inquiry is not to verify the veracity or otherwise of the information received but only to ascertain whether the information reveals any cognizable offence.

120.6. As to what type and in which cases preliminary inquiry is to be conducted will depend on the facts and circumstances of each case. The category of cases in which preliminary inquiry may be made are as under:

- (a) Matrimonial disputes/family disputes
- (b) Commercial offences
- (c) Medical negligence cases



WEB COPY

(d) Corruption cases

(e) Cases where there is abnormal delay/laches in initiating criminal prosecution, for example, over 3 months' delay in reporting the matter without satisfactorily explaining the reasons for delay.

The aforesaid are only illustrations and not exhaustive of all conditions which may warrant preliminary inquiry.

120.7. While ensuring and protecting the rights of the accused and the complainant, a preliminary inquiry should be made time-bound and in any case it should not exceed 7 days. The fact of such delay and the causes of it must be reflected in the General Diary entry.

120.8. Since the General Diary/Station Diary/Daily Diary is the record of all information received in a police station, we direct that all information relating to cognizable offences, whether resulting in registration of FIR or leading to an inquiry, must be mandatorily and meticulously reflected in the said diary and the decision to conduct a preliminary inquiry must also be reflected, as mentioned above. "

[Emphasis

Supplied]

15. It is thus seen that in Lalita Kumari referred supra, the Hon'ble Supreme Court had stated that when information is received disclosing cognizable offence, a preliminary enquiry is required in among other categories of cases, also in corruption cases. It had also been stated that the scope of preliminary enquiry is not to verify the veracity or otherwise of the information received but only to ascertain whether such information reveals any cognizable offence. It is thus evident that a prima facie opinion whether the information had revealed commission of a cognizable offence should be first formed after conducting preliminary enquiry.



16. In the instant case, the information received was that the first petitioner had acquired assets disproportionate to his known sources of income during the check period which had been determined as between 01.04.2009 and 30.06.2015. The scope of the preliminary enquiry was not to verify the veracity or otherwise of the information but to ascertain whether the offence had been made. Such an enquiry was conducted and that fact had been reduced to writing in the First Information Report itself and on conducting such enquiry, it had been determined that the petitioners had acquired assets over and above their known sources of income.

17. It had also been stated that in Lalita Kumari referred supra, that preliminary enquiry should be conducted expeditiously. In the instant case, the information had been received on 15.12.2017 and on 25.06.2018, the First Information Report had been registered. I therefore hold that the charge of Mr. ARL. Sundaresan, learned Senior Counsel for the petitioners that the mandatory requirements under Section 13(1)(e) had not been complied with cannot be accepted at this stage.

18. Moreover, in Chapter 8 of Vigilance Manual issued by the Tamil Nadu Government relating to the cases of disproportionate assets, it had been stated that a detailed enquiry or a regular case is registered to collect evidence of possession of disproportionate asset. It had also been stated that the investigation shall not be conducted without an order of a police officer not below the rank of Superintendent of Police. In this case, a reading of the First Information Report itself shows that a copy had been forwarded to the Superintendent of Police, Vigilance and Anti-corruption, Western Range, Chennai, for issuing orders under Section 17 of the Act directing appointment of an Investigating Officer. Such Officer had also been appointed. Merely because the name of the Officer is mentioned in the First Information Report cannot, at this preliminary stage, be a ground to quash the First Information Report. Circumstances surrounding as to when, the Superintendent of Police communicated the order to the First Information Report registering Officer will be part of the records and these are all issues which the petitioners can take up during the course of trial.



19. In the said Manual by DAVC Circular memo No. 33672/VAC-4/90 dated 23.11.1990, it had been stated that if after investigation, when "actionable material is found, after approval of the final report at the Head Quarters, the accused should be given the final opportunity by the Investigating Officer, communicating to the accused Officer, in writing and under acknowledgement, the details of total income and total expenditure during the check period and the likely savings at the end of the check period, details of the properties and pecuniary resources found possessed as also the quantum of disproportion at the end of the check period, as worked out in Basic Statements 1 to VI, asking him to explain, within a reasonable time, the disproportion in assets as determined against the Accused Officer."

[Emphasis Supplied]

20. It had also been stated as follows:-

"On receipt of the reply from the Accused Officer, the Investigating Officer should send it to Headquarters Office with a draft paragraph to this effect to be incorporated in the Final Report. If the Accused Officer comes forward with any new plea or explanation, the same should be verified by the Investigating Officer and a definite finding regarding such plea or explanation, should be given for incorporation in the Final Report."

21. It is thus seen that necessary protection is offered to the petitioners after investigation is completed into the allegations mentioned in the First Information Report to give necessary explanations.

22. In (2021) 5 SCC 469 [Charansingh Vs. State of Maharashtra & Others], the Hon'ble Supreme Court had stated as follows:-

"8. However, whether in a case of a complaint against a public servant regarding accumulating the assets disproportionate to his known sources of income, which can be said to be an offence under Section 13(1)(e) of the



WEB COPY

Prevention of Corruption Act, 1988, an enquiry at pre-FIR stage is permissible or not and/or it is desirable or not, if any decision is required, the same is governed by the decision of this Court in the case of Lalita Kumari (supra).

8.1 While considering the larger question, whether police is duty bound to register an FIR and/or it is mandatory for registration of FIR on receipt of information disclosing a cognizable offence and whether it is mandatory or the police officer has option, discretion or latitude of conducting preliminary enquiry before registering FIR, this Court in the case of Lalita Kumari (supra) has observed that it is mandatory to register an FIR on receipt of information disclosing a cognizable offence and it is the general rule. However, while holding so, this Court has also considered the situations/cases in which preliminary enquiry is permissible/desirable. While holding that the registration of FIR is mandatory under Section 154, if the information discloses commission of a cognizable offence and no preliminary enquiry is permissible in such a situation and the same is the general rule and must be strictly complied with, this Court has carved out certain situations/cases in which the preliminary enquiry is held to be permissible/desirable before registering/lodging of an FIR. It is further observed that if the information received does not disclose a cognizable offence but indicates the necessity for an inquiry, a preliminary enquiry may be conducted to ascertain whether cognizable offence is disclosed or not. It is observed that as to what type and in which cases the preliminary enquiry is to be conducted will depend upon the facts and circumstances of each case. As per the decision of this Court, the categories



WEB COPY

of cases in which preliminary enquiry may be made are as under:

- (a) Matrimonial disputes/family disputes
- (b) Commercial offences
- (c) Medical negligence cases
- (d) Corruption cases
- (e) Cases where there is abnormal delay/laches in initiating criminal prosecution, for example, over 3 months' delay in reporting the matter without satisfactorily explaining the reasons for delay.

The aforesaid are only illustrations and not exhaustive of all conditions which may warrant preliminary inquiry."

..... [Emphasis Supplied]

9. In the context of offences relating to corruption, in paragraph 117 in the case of Lalita Kumari (supra), this Court also took note of the decision of this Court in the case of P. Sirajuddin v. State of Madras (1970) 1 SCC 595 in which case this Court expressed the need for a preliminary enquiry before proceeding against public servants. While expressing the need for a preliminary enquiry before proceeding against public servants who are charged with the allegation 16 of corruption, it is observed in the case of P. Sirajuddin (supra) that "before a public servant, whatever be his status, is publicly charged with acts of dishonesty which amount to serious misdemeanour or misconduct of indulging into corrupt practice and a first information is lodged against him, there must be some suitable preliminary enquiry into the allegations by a responsible officer. The lodging of such a report against a person who is occupying the top position in a department, even if baseless, would do incalculable harm not only to the officer in particular but to



WEB COPY

the department he belonged to in general. If the Government had set up a Vigilance and Anti-Corruption Department as was done in the State of Madras and the said department was entrusted with enquiries of this kind, no exception can be taken to an enquiry by officers of this department". It is further observed that "when such an enquiry is to be held for the purpose of finding out whether criminal proceedings are to be initiated and the scope thereof must be limited to the examination of persons who have knowledge of the affairs of the person against whom the allegations are made and documents bearing on the same to find out whether there is a prima facie evidence of guilt of the officer, thereafter, the ordinary law of the land must take its course and further enquiry be proceeded with in terms of the Code of Criminal Procedure by lodging a first information report".

9.1 Thus, an enquiry at pre-FIR stage is held to be permissible and not only permissible but desirable, more particularly in cases where the allegations are of misconduct of corrupt practice acquiring the assets/properties disproportionate to his known sources of income. After the enquiry/enquiry at pre-registration of FIR stage/preliminary enquiry, if, on the basis of the material collected during such enquiry, it is found that the complaint is vexatious and/or there is no substance at all in the complaint, the FIR shall not be lodged. However, if the material discloses prima facie a commission of the offence alleged, the FIR will be lodged and the criminal proceedings will be put in motion and the further investigation will be carried out in terms of the Code of Criminal Procedure. Therefore, such a preliminary enquiry would be permissible only to ascertain whether cognizable offence is disclosed or not and



WEB COPY

only thereafter FIR would be registered. Therefore, such a preliminary enquiry would be in the interest of the alleged accused also against whom the complaint is made."

23. In the case reported in 1992 SCC (Cr1.) 426 [State of Harayana Vs. Bhajanlal], the Hon'ble Supreme Court had also laid down guidelines wherein the Court can interfere with investigation of cognizable offence.

"102. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extraordinary power under Article 226 or the inherent powers under Section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

(1) Where the allegations made in the first information report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.

(2) Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section



WEB COPY

156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.

(3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.

(4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.

(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.

(7) Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge."



24. In the instant case, none of the aforesaid conditions are satisfied. Possession of assets, disproportionate to known sources of income if proved, is a very serious offence committed by a public servant. The investigation is at the nascent stage. It has to proceed further by recording of statements of witnesses and collection of documents. As a matter of fact, even in the First Information Report, authority had been sought to inspect the bankers books which indicate that the investigation is proceeding in manner known to law.

25. In M/s. Neeharika Infrastructure Pvt. Ltd., Vs. State of Maharashtra and others [2021 SCC Online 315], the Hon'ble Supreme Court had given guidelines to the High Courts with respect to interfering with investigation and had held as follows:-

“23. In view of the above and for the reasons stated above, our final conclusions on the principal/core issue, whether the High Court would be justified in passing an interim order of stay of investigation and/or “no coercive steps to be adopted”, during the pendency of the quashing petition under Section 482 Cr.P.C and/or under Article 226 of the Constitution of India and in what circumstances and whether the High Court would be justified in passing the order of not to arrest the accused or “no coercive steps to be adopted” during the investigation or till the final report/chargesheet is filed under Section 173 Cr.P.C., while dismissing/disposing of/not entertaining/not quashing the criminal proceedings/complaint/FIR in exercise of powers under Section 482 Cr.P.C. and/or under Article 226 of the Constitution of India, our final conclusions are as under:

i) Police has the statutory right and duty under the relevant provisions of the Code of Criminal Procedure contained in Chapter XIV of the Code to investigate into a cognizable offence;



WEB COPY

ii) Courts would not thwart any investigation into the cognizable offences;

iii) It is only in cases where no cognizable offence or offence of any kind is disclosed in the first information report that the Court will not permit an investigation to go on;

iv) The power of quashing should be exercised sparingly with circumspection, as it has been observed, in the 'rarest of rare cases (not to be confused with the formation in the context of death penalty).

v) While examining an FIR/complaint, quashing of which is sought, the court cannot embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR/complaint;

vi) Criminal proceedings ought not to be scuttled at the initial stage;

vii) Quashing of a complaint/FIR should be an exception rather than an ordinary rule;

viii) Ordinarily, the courts are barred from usurping the jurisdiction of the police, since the two organs of the State operate in two specific spheres of activities and one ought not to tread over the other sphere;

ix) The functions of the judiciary and the police are complementary, not overlapping;

x) Save in exceptional cases where non-interference would result in miscarriage of justice, the Court and the judicial process should not interfere at the stage of investigation of offences;

xi) Extraordinary and inherent powers of the Court do not confer an arbitrary jurisdiction on the Court to act according to its whims or caprice;



WEB COPY

xii) The first information report is not an encyclopaedia which must disclose all facts and details relating to the offence reported. Therefore, when the investigation by the police is in progress, the court should not go into the merits of the allegations in the FIR. Police must be permitted to complete the investigation. It would be premature to pronounce the conclusion based on hazy facts that the complaint/FIR does not deserve to be investigated or that it amounts to abuse of process of law. After investigation, if the investigating officer finds that there is no substance in the application made by the complainant, the investigating officer may file an appropriate report/summary before the learned Magistrate which may be considered by the learned Magistrate in accordance with the known procedure;

xiii) The power under [Section 482 Cr.P.C.](#) is very wide, but conferment of wide power requires the court to be more cautious. It casts an onerous and more diligent duty on the court;

xiv) However, at the same time, the court, if it thinks fit, regard being had to the parameters of quashing and the self-restraint imposed by law, more particularly the parameters laid down by this Court in the cases of *R.P. Kapur Vs. State of Punjab* (AIR 1960 SC 866) and *State of Haryana Vs. Bhajan Lal*, (1992 Supp. (1) SCC 335), has the jurisdiction to quash the FIR/complaint;

xv) When a prayer for quashing the FIR is made by the alleged accused and the court when it exercises the power under [Section 482 Cr.P.C.](#), only has to consider whether the allegations in the FIR disclose commission of a cognizable offence or not. The court is not required to consider on merits whether or not the merits of the allegations make out a cognizable offence and the court has to permit



the investigating agency/police to investigate the allegations in the FIR;

xvi) The aforesaid parameters would be applicable and/or the aforesaid aspects are required to be considered by the High Court while passing an interim order in a quashing petition in exercise of powers under Section 482 Cr.P.C. and/or under Article 226 of the Constitution of India. However, an interim order of stay of investigation during the pendency of the quashing petition can be passed with circumspection. Such an interim order should not require to be passed routinely, casually and/or mechanically. Normally, when the investigation is in progress and the facts are hazy and the entire evidence/material is not before the High Court, the High Court should restrain itself from passing the interim order of not to arrest or "no coercive steps to be adopted" and the accused should be relegated to apply for anticipatory bail under Section 438 Cr.P.C. before the competent court. The High Court shall not and as such is not justified in passing the order of not to arrest and/or "no coercive steps" either during the investigation or till the investigation is completed and/or till the final report/chargesheet is filed under Section 173 Cr.P.C., while dismissing/disposing of the quashing petition under Section 482 Cr.P.C. and/or under Article 226 of the Constitution of India.

xvii) Even in a case where the High Court is prima facie of the opinion that an exceptional case is made out for grant of interim stay of further investigation, after considering the broad parameters while exercising the powers under Section 482 Cr.P.C. and/or under Article 226 of the Constitution of India referred to hereinabove, the High Court has to give brief reasons why



WEB COPY

such an interim order is warranted and/or is required to be passed so that it can demonstrate the application of mind by the Court and the higher forum can consider what was weighed with the High Court while passing such an interim order.

xviii) Whenever an interim order is passed by the High Court of "no coercive steps to be adopted" within the aforesaid parameters, the High Court must clarify what does it mean by "no coercive steps to be adopted" as the term "no coercive steps to be adopted" can be said to be too vague and/or broad which can be misunderstood and/or misapplied."

[Emphasis Supplied]

26. In view of the above guidelines in which it had been very categorically held that the power of quashing should be exercised sparingly with circumspection and the Court cannot embark upon an enquiry as to the genuineness of the allegations made and that criminal proceedings ought not to be scuttled at the initial stage and that quashing of an First Information Report should be an exception rather than an ordinary rule, I hold that in the instant case this Petition will have to suffer an order of dismissal and that opportunity has to be granted to the Investigating Officer to deal further into the allegations against the petitioners in accordance with law. I would therefore not accede to the request made in the petition and dismiss the petition.

27. Accordingly, this Criminal Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

vsg



To

1. The Deputy Superintendent of Police
Vigilance and Anti-Corruption Wing, Erode

2. The Inspector of Police,
Vigilance and Anti-Corruption,
Namakkal District.

3. The Superintendent of Police,
Vigilance and Anti-Corruption,
Western Range, Chennai.

CrI.O.P.No. 10805 of 2021
And CrI.M.P.No. 6432 of 2021

(CO)

B.VC (27/09/2021)