



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2022

CORAM

THE HONOURABLE THIRU JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6185 of 2022

and

Crl.M.P.No.3476 of 2022

N.Manickavelu

...Petitioner

vs

The Superintendent of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
Sastri Bhavan, Nungambakkam,
Chennai

(FIR No.RC0322020A0005)

...Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records in FIR No.RC0322020A0005 on the file of Superintendent of Police, Central Bureau of Investigation, Anti Corruption Branch, Sastri Bhavan, Nungambakkam, Chennai and quash the same.

For Petitioner : Mr.Murali

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor
for CBI Cases

O R D E R

This petition is filed to quash the proceedings pending in FIR No.RC0322020A0005 on the file of Superintendent of Police, Central Bureau of Investigation, Anti Corruption Branch, Sastri Bhavan, Nungambakkam, Chennai.

2.The learned counsel for the petitioner submits that the petitioner retired on 31.03.2017 on superannuation and this case was registered after three years of his superannuation and a false case has been registered against him and therefore, prays to quash the proceedings.

3.The learned Special Public Prosecutor for CBI Cases submits that apart from this case, three other cases were registered against this petitioner and in those three cases,



final report had been filed and they have to go for trial. Merely because case was registered after three years of superannuation, first information report cannot be quashed. He further submits that during the period of his tenure in office i.e., from 01.04.2007 to 31.03.2007 he was in possession of pecuniary resources and properties disproportionate to his known sources of income in his name, in the name of his wife Smt.Kalachelvi Manickavelu and his daughter Ms.K.M.Aishwarya to the tune of Rs.3,03,58,571/-, which is 169.70% disproportionate to his known sources of income of Rs.1,79,20,460/-.

4.Heard the rival submissions and perused the materials available on record.

5.The only allegation made by the petitioner against the respondent is that the present case was registered after three years of his superannuation. Though there has been a delay in registering the case, the same cannot be taken as a ground for quashing the first information report, especially when the prosecution is able to collect materials to show that the petitioner was in possession of pecuniary resources and properties disproportionate to his known sources of income to the tune of Rs.3,03,58,571/- which is 169.70% disproportionate to his known sources of income of Rs.1,79,20,460/-

6. In view of the above, there is no merit in this petition and the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Superintendent of Police,
Central Bureau of Investigation,
Anti-Corruption Branch, Sastri Bhavan,
Nungambakkam, Chennai
2. The Directorate of Vigilance and Anti Corruption,
Chennai.
3. The Special Public Prosecutor for CBI Cases,
High Court, Madras

Cr1.O.P.No.6185 of 2022

GPL(CO)

RGA(04/04/2022)