



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2204 of 2022

and

Crl.M.P(MD)No.1620 of 2022

Suresh

... Petitioner/Accused No.2

Vs.

1.The State represented by
The Inspector of Police,
CBCID-South Police Station,
Theni,
Theni District.
(Crime No.3 of 2022)

... 1st Respondent/Complainant

2.The Sub-Collector,
Periyakulam,
Theni District.

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the impugned FIR in Crime No.3 of 2022 on the file of the first respondent police and quash the same insofar as the petitioner/Accused No.2 is concerned.

For Petitioner : Mr.B.Sarvanan
For Respondents : Mr.Veerakathiravan
Additional Advocate General
assisted by Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents.

2. This Criminal Original Petition has been filed to quash the impugned FIR registered for various offences under Indian Penal Code as well as Prevention of Corruption Act, 1988. The petitioner is shown as A.2. The petitioner is working as Village Administrative Officer. The petitioner's counsel states that the only allegation



made against him is that the user ID and Password were made available for carrying out the offending transactions.

3. According to the petitioner, he has enough and more materials to demonstrate his innocence. As rightly pointed out by the learned Additional Advocate General, a huge scam has been noticed. It would not be in the interest of justice to interfere with the investigation. The FIRs were registered only in the last week of the December 2021 and the first week of January 2022. Originally, the cases were registered on the file of District Crime Branch, Theni. Later, considering the magnitude of the case, it has been transferred to CBCID.

4. It is true that an FIR is not an encyclopedia. The learned Additional Advocate General further pointed out that when the accused applied for anticipatory bail, he was directed to appear before the Investigation Officer and place all the materials. Since such safeguard is already available, it is not necessary to go into the matter further on merits. Leaving open the contentions and defences of the petitioner, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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 Inspector of Police,
CBCID-South Police Station,
Theni,Theni District.
- 2.The Sub-Collector,
Periyakulam,Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-4120[F] dated 04/02/2022)

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and

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