



WEB COPY

W.P.No.20966 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20966 of 2014

M.Manoharan

... Petitioner

Vs.

- 1.The Director General of Police,
No.1, Dr.Radhakrishnan Road,
Mylapore,
Chennai – 600 004.
- 2.The Director of Vigilance and Anti-Corruption
P.S.Kumarasamy Raja Salai
Greenways Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 3.The Superintending Engineer
TANGEDCO
Vellore Electricity Distribution Circle,
Gandhi Nagar,
Vellore – 632 006.
- 4.Thiru R.Janakiraman
- 5.Thiru V.Arutchelvan,
Assistant Executive Engineer,
Urban II, TANGEDCO,
Fort Town Road,
Vellore – 632 001.



6.Thiru Krishnasamy,
Deputy Superintendent of Police,
O/o Vigilance and Anti-Corruption Department,
Vellore.

7.Thiru Nandakumar,
Inspector of Police,
O/o Vigilance and Anti-Corruption Department,
Vellore.

8.Thiru. Rajkumar,
Inspector of Police,
O/o Vigilance and Anti-Corruption Department,
Vellore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to constitute a Special Investigation Team headed by an Officer not less than the Rank of Additional Superintendent of Police, to investigate the circumstances in which FIR dated 23.09.2010, came to be registered in Vigilance and Anti-Corruption, Vellore Department, Vellore, in Crime No.10/2010 U/s.7 of the Prevention of Corruption Act 1988, on the file of the Chief Judicial Magistrate-cum-Special Judge, Vellore, against the petitioner and to take action against those responsible for fabricating the false evidence and initiating the illegal criminal proceedings against the petitioner and to communicate the result of such enquiry as well as the Action Taken Report to the petitioner.



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For Petitioner	: Mr.S.Bala Krishnan For Mrs.Priay Rani
For R1 & R2	: Mr.P.Sanjay Gandhi Government Advocate
For R3	: Mr.K.Raj Kumar [TANGEDCO]
For R4 to R7	: No Appearance
For R8	: Not Ready in Notice

ORDER

The relief sought for in the present writ petition is to direct the 1st respondents to constitute a Special Investigation Team headed by an Officer not less than the Rank of Additional Superintendent of Police, to investigate the circumstances in which F.I.R. dated 23.09.2010, came to be registered in Vigilance and Anti-Corruption Department, Vellore, in Crime No.10/2010 under Section 7 of the Prevention of Corruption Act 1988, on the file of the Chief Judicial Magistrate-cum-Special Judge, Vellore, against the petitioner and to take action against those, who are responsible for fabricating false evidence and initiating illegal criminal proceedings against the petitioner and to communicate the result of such enquiry as well as the Action Taken Report to the petitioner.



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2. The learned Government Advocate appearing on behalf of the respondents 1 and 2 brought to the notice of this Court that investigation was completed by the Police and charge sheet was filed. The trial commenced and the prosecution evidence was closed on 07.02.2023. 13 witnesses have already been examined and it is posted for the defence side evidences on 30.03.2023.

3. In view of the fact that the trial is in progress and the prosecution side evidence closed, the prayer as such sought for in the present writ petition at this length of time cannot be granted. The petitioner is at liberty to contest the case before the Court in which the trial is in progress.

4. With these observations, this Writ Petition stands dismissed. No costs.

17.03.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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- 6.The Inspector of Police,
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- 7.The Inspector of Police,
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