



Crl.M.P.No.20039 of 2023 in Crl.O.P.No.17409 of 2023

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A.D.JAGADISH CHANDIRA, J.

This petition has been filed seeking to grant a further period of six months time to file the final report as per the direction given by this Court in its order dated 04.08.2023 made in Crl.O.P.No.17409 of 2023.

2. The learned Government (crl. Side) appearing for the petitioner would submit that this Court while disposing the Crl.O.P.No.17479 of 2023 dated 04.08.2023, passed the following order:

“4. Recording the same, this Criminal Original Petition is disposed of with the direction to the petitioner to respond to the final Opportunity Notice forthwith. On receipt of the explanation from A1, the respondent police shall complete the investigation and file the final report within a period of 2 months. “

3. The learned Government Advocate(crl.side) would submit that based



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on the final opportunity notice served on the accused/A1, he had furnished the explanation on 21.09.2023. Thereafter, further investigation was continued by collecting documents and examining the witnesses and totally, 225 documents were collected and 84 witnesses were examined and after completion of investigation, investigation report was sent to the Director of Vigilance and Anti-Corruption, Chennai on 20.10.2023 for approval. He would further submit that even before the completion of two months from the date of explanation(i.e. 21.09.2023) given by the petitioner, the investigation has been completed and the investigation report was approved by the Vigilance and Anti Corruption on 09.11.2023 and it was forwarded to the Vigilance Commissioner. In turn, the same has been forwarded to the Head of the Department for getting sanction under Section 19(1)(b) of the Prevention of Corruption Act. Hence, the order of this Court has been complied with.

4. He would further submit that though the order has been complied by the petitioner in time, the petitioner is unable to file the final report before the Court due to the awaiting of the sanction order and the delay is not on account of the petitioner and thereby, the present application seeking



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for extension of time has been filed.

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5. He would also submit that the Investigating Officer, viz. G.V.Kirusnaa Raajan, Deputy Superintendent of Police, Vigilance & Anti Corruption, Salem, is present before this Court and he has also filed an affidavit to that effect and reiterates that as and when the sanction order is obtained from the Head of the Department, it will be filed before the concerned Court without any delay.

6. The learned counsel for the respondent would submit that this Court had directed the respondent police to complete the investigation and file the final report within a period of two months after receipt of the application from A1.

7. This Court considered the matter in the light of the submissions made on both sides and perused the materials available on records.

8. A Perusal of the records shows that this Court, while disposing the CrI.O.P.No.17409 of 2023 on 04.08.2023, had directed the petitioner/A1, to give the explanation forthwith and that the respondent police, on receipt of the



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explanation from A1, had been directed to complete the investigation and file the final report within the period of two months. It is admitted case of A1 that explanation was given by him on 21.09.2023. As per the Investigation Officer, investigation has been completed and final report has been made ready on 20.10.2023 itself, i.e. within the period of two months and it was sent for obtaining sanction. The affidavit of the Deputy Superintendent of Police, Vigilance and Anti Corruption, Salem, is taken on record.

9. Taking into consideration the facts, the submission made by the learned Government Advocate(crl.side) appearing for the petitioner and the contents of the affidavit filed by the Deputy Superintendent of Police, Vigilance and Anti Corruption, Salem, further time is granted for a period of two months from today.

10. Accordingly, this Criminal Original Petition is ordered.

22.12.2023

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