



CrI.O.P.(MD) No.390 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.390 of 2023

Rajathi

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Madurai.

... Investigating Officer

2. The Inspector of Police,
Vigilance and Anti Corruption, Madurai.
(FIR No.18/2019).

... Defacto Complainant

3. M.Prabakar

4. N.Muthulakshmi

... Respondents / Accused
Nos.3 and 4

PRAYER: This Civil Original Petition is filed under Sections 482 of Criminal Procedure Code, to issue direction directing 1st respondent to file Final Report in FIR No.18 of 2019, dated 27.8.2019, on the file of 2nd respondent, Vigilance and Anti-Corruption Police Station, Madurai, before the concerned Court of the Special Judge for cases under the Prevention of Corruption Act, Madurai.



WEB COPY



Crl.O.P.(MD) No.390 of 2023

For Petitioner : Mr. Murugappan.R
For R1 and 2 : Mr. Ravi.S
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to issue direction directing 1st respondent to file Final Report in FIR No.18 of 2019, dated 27.8.2019, on the file of 2nd respondent, Vigilance and Anti-Corruption Police Station, Madurai, before the concerned Court of the Special Judge for cases under the Prevention of Corruption Act, Madurai.

2. The maintainability is questioned by the learned Additional Public Prosecutor to the effect that the petitioner is neither the victim nor witness in the investigation process. Originally the accused Nos.1 and 2 has filed Crl.O.P(MD) No.2054 of 2022, that was also dismissed on 21.06.2022. The learned Additional Public Prosecutor has filed a petition for extension of time, that was also allowed by granting five months time on 07.02.2022. Since the petitioner is neither the victim nor the witness, she is not at all entitled to maintain this petition.



Crl.O.P.(MD) No.390 of 2023

3. The learned Additional Public Prosecutor would further submit that the petitioner's husband appears to have worked under the first accused, departmental proceedings have been initiated against both of them.

4. According to the learned counsel for the petitioner, the departmental action has been initiated only against this petitioner at the instance of the first accused.

5. Since it appears that there is issue between this petitioner and the first accused, she cannot maintain this petition for any direction. Hence, this Criminal Original Petition stands dismissed.

09.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
indu



WEB COPY



Crl.O.P.(MD) No.390 of 2023

G.ILANGO VAN,J.

indu

To

1. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Madurai.
2. The Inspector of Police,
Vigilance and Anti Corruption, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD) No.390 of 2023

09.01.2023