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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09/02/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)No.2202 of 2023

and

Crl.MP(MD)No.1934 of 2023

Pasuvanathan : Petitioner/Sole Accused
(In the FIR his name was
mentioned as Padmanathan)

Vs.

- 1.The State represented by its,
The Additional District Superintendent of Police,
Vigilance & Anti-Corruption Division,
Virudhunagar District,
Virudhunagar.
(Crime No.04/2022) : 1st Respondent/Complainant
- 2.Veeramal : 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, to call for the records in relating to impugned FIR in Crime No. 04 of 2022 on the file of the 1st respondent and quash the same and pass such or other orders.

For Petitioner : Mr.M.Jegadeesan

For 1st Respondent : Mr.A.Ravi
Additional Public Prosecutor



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O R D E R

This criminal original petition has been filed seeking quashment of the FIR in Crime No.04 of 2022 on the file of the 1st respondent.

2.The case of the prosecution in brief:-

The de-facto complainant lodged a complainant stating that she is running a small grocery shop in door No.1/690 in Kattangudi Village, Aruppukottai Taluk. She is owning a separate bit of land measuring about 12 cents. She executed a settlement deed in respect of 12 cents. In the said land, two old electricity posts are available. She wanted to shift the above said electricity posts to some other place. So she approached the Assistant Engineer namely Padmanathan and presented a petition. Later, the Electricity officials visited the place. Subsequently, there was no further communication so far. On 06/09/2022 at about 09.30 am, she visited the office and contacted the above said Padmanathan. At that time, he told her that for taking steps to shift the electricity posts, Rs.20,000/- must be paid as bribe



3. When the investigation is in progress, he filed this petition seeking quashment on the ground that even as per the case of the complaint, one Ramanathanan demanded bribe, but this petitioner has been wrongly arrested and no opportunity was given to him to explain the stand. So on two grounds viz., misidentification and failure to give explanation, are the reasons stated for quashment.



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arrested and remanded to custody. How the name confusion occurred is a matter for consideration during the court of investigation. The service particulars of the petitioner will reveal the correct status of name. Simply because with regard to the confusion of the name, the entire complaint and the trap proceedings cannot be doubted.

8. With regard to non compliance of the Vigilance Manual, the petitioner can advance his plea during the course of trial. So, I find no merit in this petition. Both the grounds raised in the petition are devoid of merits, which cannot be taken into account for quashing the entire proceedings.

9. In the result, this criminal original petition is **dismissed**. Consequently, connected Miscellaneous Petition is closed.

09/02/2023

Index: Yes/No
Internet: Yes/No
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To,

- 1.The Additional District Superintendent of Police,
Vigilance & Anti-Corruption Division,
Virudhunagar District,
Virudhunagar
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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Cr1.OP(MD)No.2202 of 2023

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