



Crl.O.P.(MD)No.4003 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.4003 of 2023

V.V.S.Sundaram

... Petitioner

Vs.

1.The Director General of Police,
Directorate of Vigilance and Anti-Corruption,
Tamil Nadu, Alandur, Chennai - 600 016.

2.The Superintendent of Police,
Vigilance and Anti Corruption Department,
Virudhunagar District .

3. The joint Director,
Central Bureau of Investigation,
E.V.K.S. Building, Nungambakkam,
Chennai.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the complaint, dated 23.06.2021 from the file of the second respondent and to transfer the same to the file of the third respondent or any other agency.

For Petitioner : Mr.K.Gokul



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For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor,
for R1 and R2.

: Mr.M.Karunanithi,
Special Public Prosecutor,
CBI cases, for R3

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to withdraw the complaint, dated 23.06.2021 from the file of the second respondent and to transfer the same to the file of the third respondent or any other agency.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that after getting the report from the Director of Public Health and Preventive Medicine, Chennai, preliminary enquiry was conducted and the Health and Family Welfare (D2) Department, has issued G.O.(D)No.749, dated 01.07.2022, for initiation of disciplinary action against the private respondents and that the same is pending. He would further submit that the complaint given to the first respondent was



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also forwarded to the concerned Department vide letter dated 24.11.2022, that the Public Information Officer attached to the first respondent Vigilance Commission, in pursuance of the RTI application of the petitioner, sent a reply specifically observing that since departmental action was already initiated, there is no scope for registering the FIR. He has also produced the copy of the Government Order.

3. Recording the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.

09.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The Director General of Police,
Directorate of Vigilance and Anti-Corruption,
Tamil Nadu, Alandur, Chennai - 600 016.
- 2.The Superintendent of Police,
Vigilance and Anti Corruption Department,
Virudhunagar District .
3. The joint Director,
Central Bureau of Investigation,
E.V.K.S. Building, Nungambakkam,
Chennai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.4003 of 2023

Dated: 09.03.2023