



Crl.A.No.196 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

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THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.A.No.196 of 2024

T.Pandidurai

... Appellant

Vs.

The State represented by,
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Chennai City-II Detachment,
Nandanam, Chennai - 35.

... Respondent

PRAYER : Criminal Appeal filed under Section 454 of Criminal Procedure Code, pleaded to call for the records, allow the present Criminal Appeal and set aside the impugned order dated 21.12.2023 made in Crl.M.P.No.464 of 2023 in Cr.No.20/AC/2012/CC-II on the file of the learned Special Court for the Cases under the Prevention of Corruption Act at Chennai and direct the respondent Police to return documents as detailed in paragraph 16 of the present appeal to the appellant, which were seized by the respondent Police on 04.12.2012.



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For Appellant : Mr.M.Palanivel
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

JUDGMENT

The Criminal Appeal has been filed seeking to set aside the impugned order passed by the Special Court for the Cases under the Prevention of Corruption Act at Chennai, in Crl.M.P.No.464 of 2023, dated 21.12.2023 and to direct the respondent Police to return the documents seized by the respondent on 04.12.2012 to the appellant.

2. When the matter is taken up today for hearing, the learned Government Advocate (Criminal Side) submitted that the case was registered against the appellant for the offense under Sections 13(2) r/w 13(1)(e) of the Prevention of Corruption Act for having possession of assets disproportionate to the income. Further, the respondent after completion of investigation, has filed the revised draft final report on 16.05.2014 recommending for departmental action and thereafter, the case was referred to Tribunal for disciplinary proceedings on



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28.05.2014 and after enquiry, the petitioner has been dismissed from service on 09.05.2022 and thereafter, the closure report has been filed by the respondent before the Special Court for the cases under the Prevention of Corruption Act on 20.12.2022 and it has been taken up in Crl.M.P.No.658 of 2023 and the case now stands posted on 22.02.2024 before the Special Court for the cases under Prevention of Corruption Act, Chennai for passing orders on the closure report and only based on the orders passed by the learned Special Judge, further action can be taken.

3. At this juncture, the learned counsel for the appellant submitted that he is not pressing the appeal, however, since Crl.M.P.No.658 of 2023 has been pending for more than a year, he prayed that a direction may be issued to the learned Special Judge to pass orders on the closure report within a specified time and decide the application for return of documents

4. Recording the same, the Criminal Appeal stands closed. However, since Crl.M.P.No.658 of 2023 is stated to be pending for more than a year, the learned Special Judge, Special Court for the Cases under the Prevention of Corruption Act, Chennai is directed to pass orders, as expeditiously as possible, preferably,



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within a period of six weeks from the date of receipt of a copy of this order.

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Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
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To

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1. The Special Court for the Cases under the Prevention of Corruption Act,
Chennai.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Chennai City-II Detachment,
Nandanam, Chennai - 35.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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