



CRLO.P.No.25516 of 2024

Crl.O.P.No.25516 of 2024
and Crl.M.P.No.14294 of 2024

N.SESHASAYEE, J.

This case was disposed of by this Court on 10.12.2024 and it is today listed at the instance of the learned counsel for the petitioner under the caption for "being mentioned".

2.The learned counsel for the petitioner submitted that in paragraph No.2 of the order in two separate places (in line 5 and 7), the order states that A2 was found to be in possession of Rs.32.75 lakhs, whereas it should be **Rs.38.75 lakhs**.

3.The learned Prosecutor concurred with the same.

4.The Registry is now directed to correct the figure Rs.32.75 lakhs as it appears in line 5 and 7 of paragraph No.2 of the order of this Court dated 10.12.2024 as **Rs.38.75 lakhs**. The corrected copy of this order is directed to be posted in the official website. If any certified copy has been issued to the petitioner, the Registry is required to issue a fresh certified copy at free of charges.

18.12.2024

kas

N.SESHASAYEE, J.

kas



WEB COPY



CRLO.P.No.25516 of 2024

Crl.O.P.No.25516 of 2024
and Crl.M.P.No.14294 of 2024

18.12.2024



WEB COPY



CRLO.P.No.25516 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.12.2024

CORAM : MR. JUSTICE N.SESHASAYEE

CRL.O.P.No.25516 of 2024
and Crl.M.P.No.14294 of 2024

R.Kalaimohan

... Petitioner

Vs.

The Inspector of Police
Vigilance and Anti Corruption
Thiruchirappalli

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. Act, 2023, to quash the Charge Sheet No.7 of 2024 filed in Special Case No.3 of 2024, pending on the file of the Special Court for Prevention of Corruption Act Cases, Villupuram, so far as the petitioner / accused 1 is concerned.

For Petitioner : Mr.N.Muralikumaran
Senior Counsel

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)

ORDER

The present petition is filed to quash the final report which the investigating agency has laid in Crime No.3 of 2022, which is now



CRLO.P.No.25516 of 2024

pending in Special Case No.3 of 2024.

WEB COPY

2.The learned counsel for the petitioner submitted that the petitioner was arrayed as A1 by the prosecution, but strangely except the confession statement of A2, there is nothing to connect A1 to the crime. Expatiating it further the learned counsel submitted that A2 while on travel was intercepted by the investigating agency and found to be in possession of Rs.32.75 lakhs, and that during interrogation he is said to have made a statement that the entire amount of Rs.32.75 lakhs seized from him were the bribe money collected from different persons and this money is meant to be paid to A1. He submitted that mere confession statement of a co-accused is far too inadequate material as to constitute evidence for the purpose of pinning down A1 to the alleged accusation.

3.Mr.K.M.D.Muhilan, the learned Government Advocate (Crl. Side) submitted that according to prosecution A2 had collected funds from several individuals including LW13, LW14 and LW15 in the presence of A3 and A4, on the pretext that the money is collected for and on behalf of A1 for securing job for these witnesses and the witnesses also made the



CRLO.P.No.25516 of 2024

same statement.

WEB COPY

4.Heard both sides. So far as LW13, LW14 and LW15 are concerned it is a mere hear say evidence and that cannot be acted upon.

5.In the final result, this Criminal Original Petition stands allowed. So far as the petitioner / accused 1 is concerned, the charge sheet No.7 of 2024, filed in Special Case No.3 of 2024, pending on the file of the Special Court for Prevention of Corruption Act Cases, Villupuram is hereby quashed. If, in the course of the trial Court finds certain evidence to include A1 in the case, it may so do it U/s.319 Cr.P.C. which is now equivalent to Section 329 of BNSS, 2023. Consequently, the connected miscellaneous petition is closed.

10.12.2024

kas

Index : Yes / No
Neutral Citation

N.SESHASAYEE, J.



CRLO.P.No.25516 of 2024

kas

WEB COPY

To

1.The Special Court for Prevention
of Corruption Act Cases
Villupuram

2.The Inspector of Police
Vigilance and Anti Corruption
Thiruchirappalli

3.The Public Prosecutor
High Court of Madras
Chennai 600 104

CRL.O.P.No.25516 of 2024
and Crl.M.P.No.14294 of 2024

10.12.2024