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Crl.O.P.(MD)No.4560 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2024

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THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD)No.4560 of 2024
and Crl.M.P.(MD)No.3568 of 2024

R.Sathiamoorthy

... Petitioner

Vs.

State represented by
The Inspector of Police,
Vigilance and Anti-Corruption, Madurai.
(Crime No.7 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned FIR registered in Crime No.7 of 2022 dated 15.09.2022 on the file of the respondent, quash the same.

For Petitioner : Mrs.J.Anandhavalli

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the impugned FIR registered in Crime No.7 of 2022 dated 15.09.2022 on the file of the respondent.



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2.The case of the prosecution is that the petitioner worked as Superintendent, Electronic Data Processing Admission Section in the Madurai Kamaraj University, during the period from 31.01.2013 to 30.11.2017 and thereafter, worked as Senior Superintendent from 01.12.2017 to 23.09.2019. The responsibility of the petitioner is to verify the Students Registration Fees and Tuition Fess. The petitioner has to verify the admission portal regarding payment of Registration Fees and Tuition Fees and should remit the D.Ds. in the Bank of the University. If the petitioner comes to know that there is no Registration Fees and Tuition Fess, the petitioner should inform his Superior recommending not to issue the certificates. However, the petitioner colluded with other accused and issued the Course Completion Certificate to 342 Students, who have not paid the Registration Fees and Tuition Fees and thereby, cause loss to the Government to the tune of Rs.1,39,700/-. Therefore, the Registrar, Madurai Kamaraj University lodged a complaint before the respondent Police, based on which a case in Cr.No.7 of 2022 has been registered for the offence punishable under Sections 120B, 167, 409, 465, 468, 470, 471 and 477A IPC, Sections 13(2) r/w 13(1)(c) and (d) of the Prevention of Corruption Act, 1988 and Section 7(a) of the Prevention of Corruption(Amendment)Act, 2018. To quash the same, the petitioner filed the present petition.



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3.The learned counsel appearing for the petitioner made detail submissions by stating that the petitioner is no way connected with the misappropriation as alleged in FIR.

4.Per contra, the learned Additional Public Prosecutor appearing for the respondent Police submits that there are materials available to proceed with the case as against the petitioner herein and at the threshold, the criminal proceedings cannot be quashed and hence, he would pray to dismiss the present petition.

5.In view of the above, without going into the merits of the case, this Court directs the respondent Police to complete the investigation in Cr.No.7 of 2022, within a period of nine months from the date of receipt of a copy of this order. The petitioner is at liberty to file fresh quash petition to quash the final report with available grounds. Accordingly, this criminal original petition is closed. Consequently, connected miscellaneous petition is closed.

25.04.2024

Index : Yes / No
Internet : Yes / No
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K.K.RAMAKRISHNAN,J.

gns

To

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

CrI.O.P.(MD)No.4560 of 2024

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25.04.2024