



Crl.R.C.(MD).No.892 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05.06.2024

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.R.C(MD). No.892 of 2023

A.Pandi

... Petitioner

Vs.

1. The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.
Crime No.04/2016

2. Tr.G.Chirtarasu

... Respondents

PRAYER: Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C., to call for the records and set aside the order passed in Cr.M.P.No.575 of 2022 in R.C.S.No.01 of 2023 in Crime No.04 of 2016 on the file of the Special Court for Trial of Prevention of Corruption Act cases, Madurai, dated 25.01.2023 and allow this revision case.

For Petitioner : Mr.N.Tamilmani

For R-1 : Mr.S.Ravi
Additional Public PRosecutor



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ORDER

The Criminal Revision Case has been filed challenging the order dated 25.01.2023 in Cr.M.P.No.575 of 2022 in R.C.S.No.01 of 20233 on the file of the Special Court for Trial of Prevention of Corruption Act cases, Madurai.

2. According to the petitioner, the first respondent registered a case in Crime No.4 of 2016. In the FIR, it is alleged that the accused has not followed the roster system and made an appointment getting illegal gratification. The said allegation was enquired by the Investigation Officer and it was found that the roster system was properly followed and the same was accepted by the Government. Thereafter, along with the acceptance letter of the Government the negative final report was filed and the same was accepted by the Court below. Then a protest petition was filed. The protest petition was dismissed. Aggrieved over the same, the petitioner has filed the present petition.

3.The learned Counsel for the petitioner submitted that departmental proceedings was initiated as against the petitioner on the same set of allegation and it was found that there was violation of roster system and the Investigation Officer has not conducted the investigation properly.



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4. The learned Additional Public Prosecutor on instruction would submit that the departmental proceedings is different. As far as the Investigation Officer is concerned, he conducted a detailed investigation and also collected all the materials and found that a proper roster system was followed in the promotion panel. He further submits that if there is any violation, the petitioner has a remedy to challenge the promotion panel. Hence, there is no scope for interference in the order.

5. This Court considered the rival submissions made and perused the investigation report filed by the Investigation Officer and the acceptance letter of the Government, dated 24.01.2022.

6. From the records, it is clear that the Investigation Officer has conducted a detailed investigation and found that proper roster system was followed. In such circumstances, this Court is not inclined to interfere with the order of the learned trial Judge.



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7. Accordingly, this Criminal Revision Case stands dismissed and the order passed in Cr.M.P.No.575 of 2022 in R.C.S.No.01 of 2023 in Crime No.04 of 2016, on the file of the Special Court for Trial of Prevention of Corruption Act cases, Madurai, dated 25.01.2023 is hereby confirmed.

05.06.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
jbr/sbn

To

1. The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

3. The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

jbr/sbn

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