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Crl.O.P.No.6247 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.6247 of 2025

and

Crl.M.P.Nos.4007 & 4008 of 2025

R.Mathivanan

... Petitioner /A3

Vs.

State of Tamilnadu,

Rep. By The Inspector of Police,

Vigilance and Anti-Corruption Detachment,

Tiruvannamalai District.

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 528 of BNSS, praying to call for the records in Spl.C.No.6 of 2022 on the file of the learned Chief Judicial Magistrate and Special Judge, Tiruvannamalai District and quash the same as against the petitioner/Accused 3 as the continuance of same would amount to abuse of process of Court.

For Petitioner : Mr.S.Karthikeyan

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



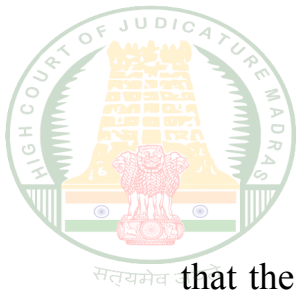
Crl.O.P.No.6247 of 2025

ORDER

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The petitioner/A3, who is facing trial in Spl.C.No.6 of 2022, had filed this quash petition.

2.The grounds raised by the petitioner is that the admitted case of the respondent is that the petitioner/A3 has performed peripheral duty at the Panchayat Union Office, Peranamalur and regulated the candidates and put them in the queue formation to avoid congestion near the interview hall. Apart from that there is nothing against the petitioner. He further submitted that A1 in this case had filed a quash petition before this Court in Crl.O.P.No.26502 of 2022. This Court, considering the said A1/Sundarrajan's contention and finding that he is only in the nature of whistle-blower and also recording the submissions of the prosecution that further investigation would be conducted on the documents produced by Sundarrajan, disposed of the petition. Thereafter the respondent filed a petition seeking permission for further investigation on 14.06.2024. The reason given by the respondent is

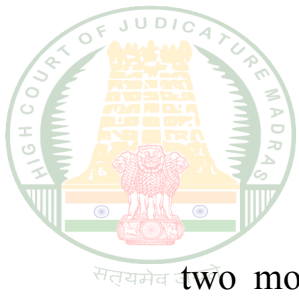


Crl.O.P.No.6247 of 2025

WEB COPY

that the said Sundarrajan at the time of investigation not disclosed about the complaint given to the District Collector, Tiruvannmalai to the investigating officer, which is contra to the observations and order passed by this Court. This Court at the time of deciding Sundarrajan's petition referring to the statement of Sundarrajan dated 27.04.2021, which is part of the final report and thereafter only came to a conclusion that he is a whistle blower. For the same reason, now the petition for further investigation filed. Hence, on the admitted position of the petitioner's role as per the charge sheet, the petitioner only arranged the candidates and put them in the queue formation to avoid congestion near the interview hall and the petitioner has got no role in selection of the candidates.

3.The learned Government Advocate (Crl. Side) opposed the contention of the petitioner submitting that further investigation petition filed with a delay and further investigation is under process. In any event, the same to be completed and further investigation report to be filed within a period of



Crl.O.P.No.6247 of 2025

WEB COPY

two months. He further refuted the petitioner's contention stating that the petitioner had played more role than what it has been submitted.

4.If at all the petitioner has got any material, he can submit the same to the investigating officer, who shall consider the same in accordance with law.

5.With the above directions, the Criminal Original Petition is disposed of. Consequently, the connected criminal miscellaneous petitions are closed.

05.03.2025

Index: Yes/No

Internet : Yes/No

Speaking order/Non-speaking order

Neutral citation: Yes/No

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Crl.O.P.No.6247 of 2025

WEB COPY

- 1.The Chief Judicial Magistrate and Special Judge,
Tiruvannamalai District.
- 2.The Inspector of Police,
Vigilance and Anti-Corruption Detachment,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.6247 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.6247 of 2025

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