



Crl.O.P.No.6473 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATE : 28.03.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.6473 of 2025

and

Crl.M.P.No.4132 of 2025

Dhanalakshmi

... Petitioner/Accused

Versus

1.The State Rep. by

The Additional Superintendent of Police,
Prevention of Anti-Corruption Special Wing,
Team-I,
Chennai – 600 016.

2.The Inspector of Police,

Chennai City-I,
Vigilance and Anti-Corruption,
No.293, MKN Road, Collector's Nagar,
Alandur,
Chennai – 600 016.

3.Selvi

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS praying to call for the records on the F.I.R. in Crime No.08/AC/2021/CC-I, on the file of the 1st respondent police and quash the same.



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For Petitioner : Mr.R.Ramesh

For RR-1 & 2 : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who is an accused in Crime No.8/AC/2021/CC-I for offences under Sections 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988, had filed this quash petition.

2.The contention of the petitioner is that the petitioner was appointed as Special Public Prosecutor in Mahila Court, Tiruvallur District by G.O.(D). No.680, Home Department, dated 02.09.2015. Initially, she was appointed only for three years. Ever since the date of appointment she had been representing cases on behalf of the State Government without any favour to any of the accused during her tenure as Special Public Prosecutor in Mahila Court, Tiruvallur. Further, the State extended her tenure for further period of three years from 07.01.2018 vide G.O.(D).No.42, Home Department and she handled 600 cases from the date of her appointment as

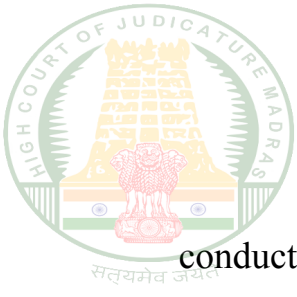


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Special Public Prosecutor, out of which, 16 cases ended in conviction and in some cases imprisonment for life and double life sentence were ordered by the trial Court due to the effective conduct of trial by the petitioner. This being so, since her tenure as Special Public Prosecutor extended for further period of three years, disgruntled persons and persons, who are inimical, had started sending petitions against the petitioner with false allegations and without proper verification of the facts, the respondent police registered an F.I.R. The petitioner rendered her service as Special Public Prosecutor to the best of her knowledge. In support of his contention the petitioner referred to various cases wherein she had fought for conviction of the accused. Further submitted that the F.I.R. does not fall within the parameter laid down by this Court in the case of R.P.Kapur and Bhajan Lal, hence, praying to quash the F.I.R.

3.The learned Government Advocate filed status report submitting that based on the complaint received against the petitioner, an enquiry



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conducted. On enquiry, genuineness of the complaint verified and thereafter F.I.R. registered. The petitioner during the period of her service as Special Public Prosecutor conducted 446 cases, out of which, 15 cases ended in conviction and 14 cases charges abated, in 2 cases files were sent to the High Court of Madras on appeal, in 1 case appeal was filed before the Hon'ble Supreme Court and balance of 414 cases ended in acquittal. As per the witnesses statement, the petitioner insisted, they compromised with each other for various reasons. The petitioner using her official position as Special Public Prosecutor, Mahila Court, Tiruvallur District, abused her official position and demanded, accepted bribes from the parties of the cases handled by her. On 09.05.2016, the petitioner demanded and received illegal gratification of Rs.5,000/- from the third respondent/Selvi. The above said facts were enquired in preliminary enquiry and thereafter F.I.R. against the petitioner in DVAC Crime No.8/2021/AC/CC-I for offences under Sections 7 and 13(2) r/w 13(1)(d) of P.C. Act registered. During investigation, 28 witnesses examined and 29 documents collected. The investigation is now



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completed, final report filed before the trial Court through e-filing

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4.Finding that the third respondent lodged a complaint against the petitioner and on her complaint preliminary enquiry conducted and thereafter F.I.R. registered. Now investigation completed, charge sheet filed listing 28 witnesses and 29 documents. The points raised by the petitioner are factual in nature, to be decided during trial. Further charge sheet already filed. In view of the same, nothing survives in this Criminal Original Petition and the same is dismissed. Consequently, the connected criminal miscellaneous petition is closed.

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Index : Yes / No

Internet : Yes/No

Speaking / Non-speaking order

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M.NIRMAL KUMAR, J.

rsi

To

- 1.The Additional Superintendent of Police,
Prevention of Anti-Corruption Special Wing,
Team-I, Chennai – 600 016.
- 2.The Inspector of Police,
Chennai City-I,
Vigilance and Anti-Corruption,
No.293, MKN Road, Collector's Nagar,
Alandur, Chennai – 600 016.
- 3.The Public Prosecutor,
High Court, Madras.

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