



Crl.O.P.No.8901 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 16.04.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.8901 of 2025

Sakeer Hussain

... Petitioner

Versus

The State of Tamil Nadu
Represented by Inspector of Police,
V & AC Police Station,
Nilgiris.

... Respondent

PRAYER : Criminal Original petition filed under Section 528 of BNSS, praying to direct the respondent to complete the investigation in Crime No.7 of 2024 dated 26.10.2024 on the file of the Vigilance and Anti-Corruption, Nilgiris Police Station and file final report within a time frame to be fixed by this Court.

For Petitioner : Mr.Meiyappan Mohan

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



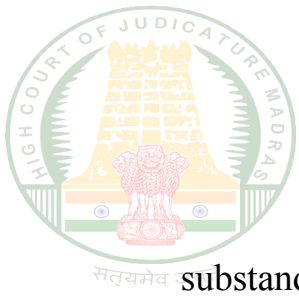
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ORDER

The petitioner had filed this petition seeking completion of investigation and filing of final report in Crime No.7 of 2024 dated 26.10.2024.

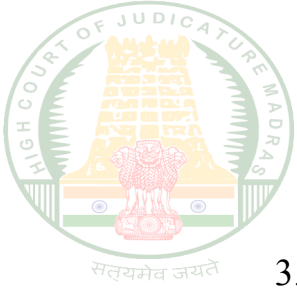
2.The contention of the petitioner is that one S.Sivagami, Chairman of Nelliyalam Municipality, the Nilgiris District was demanding bribe from several person including the Registered Contractors of Nelliyalam Municipality. The Government Registered Contractor Association members were forced to come to the office of the Nelliyalam Municipality and on 21.10.2024, the petitioner along with others are present at about 4.00 p.m. The petitioner and other contractors were forced to pay 8% of the contract value as commission for allotting the work orders in their favour. Further they were threatened that in the event of non payment of commission, their work would be cancelled for one reason or other, primarily stating that work was



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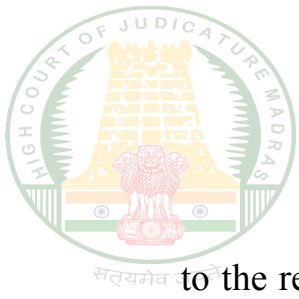
substandard and the Chairman would make recommendation for cancellation to the Commissioner of Municipality. Thereafter on 25.10.2024, the Registered Contractor's Association members including the petitioner were in possession of Rs.3,37,500/-. The District Inspection Authority and the Vigilance Authorities made a surprise check at about 1.30 p.m. and found Contractor's Association members handing over cash to the Chairman of the Municipality and they were present along with the Chairman. At that time, the petitioner was questioned. The petitioner stated that he was forced to pay the bribe amount and he intend to lodge a complaint to the Authorities after coming out of the office. In the meanwhile, surprise inspection team came there and questioned the petitioner. The petitioner's explanation was accepted, he was searched and only Rs.550/- found in his pocket, which is his personal money, thereafter it was handed over. The respondent registered an F.I.R. but no action was taken and the case was kept pending. Hence, the above petition has been filed.



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3.The learned Government Advocate filed his status report and submitted that on credible information that Tmt.S.Sivakami, Chairman, Nelliyalam Municipality, the Nilgiris District is collecting bribe from the Registered Contractors of Nelliyalam Municipality for resolution passed on 21.10.2024 for the works allotted to them from the General Fund of Nelliyalam Municipality for the Financial Year 2024-2025. In view of the above, a Joint Surprise Check was conducted by Tr.K.Sivakumar, Husur Sarishtadar (Magisterial), i/c Special District Inspection Cell Officer, the Nilgiris District with the Deputy Superintendent of Police, Vigilance and Anti-Corruption, the Nilgiris on 25.10.2024 between 13.50 hrs and 20.00 hrs and an unaccounted amount of Rs.3,37,500/- seized. The investigation is being carried out in a time-bound and systematic manner as of the date of this report. The accused S.Sivakami examined on the date of surprise check on 25.10.2024 by the Special District Inspection Cell Officer, the Nilgiris. Further the accused has been examined by the Investigation Officer on 09.04.2025. The petitioner initially filed this writ petition seeking a direction



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to the respondent police to conduct investigation in Crime No.7 of 2024 and file the final report within a time frame and he has not been examined by the investigating agency so far. Subsequently, he was summoned and duly examined on 03.04.2025. His statement was recorded and it forms part of the case records.

4.He further submitted that in this case investigation completed, charge sheet filed. So far, 13 witnesses examined, 21 documents collected and 10 more witnesses to be examined and some more documents to be collected. Once this process is completed, charge sheet would be filed without delay preferably within a period of six months.

5.Recording the above submission, the Criminal Original Petition is disposed of.

16.04.2025

Index : Yes / No

Internet : Yes/No

Speaking / Non-speaking order
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M.NIRMAL KUMAR, J.

rsi

To

1.The Inspector of Police,
V & AC Police Station,
Nilgiris.

2.The Public Prosecutor,
High Court, Madras.

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