



WEB COPY



Crl.O.P.No.21621 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.21621 of 2025
and Crl.M.P.No.14800 of 2025

S.Tamilselvan

.. Petitioner

Versus

1. The State Rep. by
The Inspector of Police,
Vigilance and Anti-Corruption,
Krishnagiri.
Crime No.04/AC/2025.

2. P.Nagarajan

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records in connection with F.I.R registered under Section 7(a) of the Prevention of Corruption Act, 1988, as amended by the PC Amendment Act, 2018 in Crime No.04/AC/2025 pending on the file of the 1st respondent in respect of the petitioner and quash the same.



WEB COPY



Crl.O.P.No.21621 of 2025

For Petitioner : Mr.R.K.Gandhi

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl. Side), for R1



Crl.O.P.No.21621 of 2025

ORDER

WEB COPY

This Criminal Original Petition is filed seeking to quash the First Information Report in Crime No.04/AC/2025 on the file of the first respondent.

2. The learned Counsel for the petitioner, by taking this Court through the First Information Report itself, would submit that even the de facto complainant has admitted that for the income tax payment, it is only the petitioner/accused who had transferred the amount to the income tax account which is amounting to Rs.30,954/- and this amount was also a sum of Rs.30,000/- which was given to him towards repayment of the same. As far as the purpose is concerned, the same is also absolutely unbelievable as this petitioner is not the authority to send the proposal that is mentioned in the First Information Report. Further, the decoy witness himself was punished for his misconduct and is absolutely an unreliable person.



Crl.O.P.No.21621 of 2025

WEB COPY

3. I have given my anxious consideration to the said submissions made by the learned Counsel for the petitioner.

4. It can be seen that the decoy witness had close relationship with the accused inasmuch as the accused has transferred the income tax amount from his bank account. Therefore, whether this amount was a bribe amount or whether it was the repayment of the said amount is for the Investigating Officer to come to the conclusion after thorough investigation. As per the version of the decoy witness, both were separate transactions and he has already paid the money to the accused and only thereafter the accused has transferred a sum of Rs.30,954/- to the income tax account. Therefore, the truth or otherwise have to be gone into during the investigation and this Court, in a quash application, cannot conduct a mini trial of all these factual contentions and determine the issue.

5. Therefore, keeping it open for the petitioner to very well place all



Crl.O.P.No.21621 of 2025

WEB COPY

these facts before the Investigating Officer and the Investigating Officer to dispassionately consider the same before arriving at a final conclusion, this Criminal Original Petition is disposed of. Considering the overall facts and circumstances of the case, the Investigating Officer can complete the investigation at an early date. Upon such query, the learned Government Advocate (Crl. Side) would submit that the Investigating Officer would require another four months time to complete the investigation. In view of the said submission made, the Investigating Officer is further directed complete the investigation and file a Final Report in accordance with law within a period of four months from the date of receipt of a web copy of this order without waiting for a certified copy of the order. Consequently, connected miscellaneous petition is closed.

04.08.2025

Neutral Citation : no
grs



Crl.O.P.No.21621 of 2025

To
WEB COPY

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



WEB COPY



Crl.O.P.No.21621 of 2025

D.BHARATHA CHAKRAVARTHY, J.

grs

Crl.O.P.No.21621 of 2025
and Crl.M.P.No.14800 of 2025



WEB COPY



Crl.O.P.No.21621 of 2025

04.08.2025