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Crl.O.P.No.28249 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 09.04.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.28249 of 2024

and

Crl.M.P.No.15726 of 2024

1.A.Abdul Ravoop

2.A.Mubarak Batch

... Petitioner/Accused 2 & 3

Versus

State by Inspector of Police,
Vigilance and Anti-Corruption Wing,
Dharmapuri.

Crime No.6/AC/2024

... Respondent

PRAYER : Criminal Original petition filed under Section 528 of BNSS, praying to call for the records relating to the First Information Report registered in Crime No.6/AC/2024 on the file of the Inspector of Police, Vigilance and Anti-Corruption Wing, Dharmapuri/respondent herein and quash the same.

For Petitioners : Mr.C.Munusamy

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



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ORDER

The petitioners, who are A2 & A3 in Crime No.6 of 2024 for offence under Section 7(a) r/w 12 of the Prevention of Corruption (Amendment) Act, 2018 r/w Section 106 of BNSS, had filed this petition seeking to quash the F.I.R.

2.The case of the prosecution is that a surprise check was conducted by the Vigilance and Anti-corruption with the assistance of two independent official witnesses on 23.10.2024 at the Sub Registrar Office, Harur, Dharmapuri District. During the surprise check, unaccounted cash of Rs.35,000/- found in the dining room of the office and unaccounted cash of Rs.49,000/- found in the right side pant pocket of second petitioner/A3, who is the son of first petitioner/A2/Document Writer. These amounts were seized, since no plausible explanation has been given by the petitioners and the office staff. Further 12 documents were submitted by the first petitioner and he was unable to give any proper explanation and his office was also



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searched and unaccounted amount of Rs.2,46,100/- seized from the office of

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first petitioner. Further, an unaccounted amount of Rs.500/- seized from A4/K.Sampath, another document writer, who was present in the Sub Registrar Office, Harur. In total, unaccounted cash of Rs.3,22,600/- seized and sent to the Chief Judicial Magistrate-cum-Special Judge, Dharmapuri.

3.The contention of the learned counsel for petitioners is that the first petitioner is a document writer and second petitioner is his son, who is assisting the first petitioner. The first petitioner as a document writer necessarily to have a working place near the Sub Registrar Office and he used to prepare documents on the request of the public. This being so, on 23.10.2024, the respondent police raided the Sub Registrar Office, Harur. Both the petitioners were present in the office to seek some clarification. The first petitioner is the aged person and second petitioner is assisting his father/first petitioner. As document writer they were entrusted to file some documents for registration and they were also in possession of cash for the



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registration purpose, which was wrongly projected as though the petitioners

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are acting hand in glove with the officials of Sub Registrar Office and collecting money from the public. In this case, the petitioners had given explanation but the respondent police not considered the same. Hence, filed the above petition.

4.The learned Government Advocate submitted that in this case a surprise check was conducted on 23.10.2024 in the Sub Registrar Office, Harur, Dharmapuri District and an unaccounted cash of Rs.3,57,600/- found from the office and an amount of Rs.49,000/- found in the pocket of the second petitioner, who was unable to give any answer. The second petitioner prepared 12 documents for registration on that day and the petitioners have influence over the office. Further, during search in the petitioners' Office, an unaccounted cash of Rs.2,46,100/- seized. Since the petitioners and others unable to give proper explanation, on suspicion, the case in Crime No.6 of 2024 registered against 4 persons. A1 is the Sub Registrar, A2 and A3 are the



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petitioners and A4 is the employee of the petitioners. In this case, 18 witnesses examined and 35 documents collected so far. After investigation it was decided that further action to be dropped against A3/Mubarak Batcha and A4/Sampath, since they are private individuals. As regards the first petitioner/A2, recommendation made to proceed against him under Rule 16 of the Tamil Nadu Document Writers License Rules, 1982. In view of the same, nothing survives for adjudication in the above petition.

5.Recording the same, the Criminal Original Petition is disposed of.

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.

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To

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

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