



Crl.O.P.No.5127 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.5127 of 2025

and

Crl.M.P.No.3279 of 2025

P.Jeyarani

... Petitioner/A1

Versus

1.The State of Tamil Nadu, Represented by
The Inspector of Police,
The Vigilance and Anti-Corruption,
Tiruppur, Tiruppur District.

2.G.Babybala,
The Deputy Inspection Cell Officer,
Office of Inspection Cell Officer,
Coimbatore, Coimbatore District.

... Respondents

PRAYER : Criminal Original petition filed under Section 528 of BNSS praying to call for the records in Crime No.09 of 2019 on the file of the Inspector of Police, The Vigilance and Anti-Corruption, Tiruppur District and quash the same as illegal insofar as the petitioner is concerned.

For Petitioner : Mr.B.Sargunam

For Respondents : Mr.S.Udaya Kumar

Government Advocate (Crl. Side)



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ORDER

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The petitioner/A1 in Crime No.9 of 2019 for offences under Sections 7, 7(A) of the Prevention of Corruption (Amendment) Act, 2018 and 102 of Cr.P.C. had filed this quash petition.

2.The contention of the petitioner is that the petitioner was serving as a Special Deputy Collector in the Collectorate office at Tirunelveli District and in the year 2019 posted as Assistant Commissioner in the Prohibition and Exercise Department, Tiruppur District. On 25.10.2019, a surprise check was conducted by the first and second respondents. During the check, an amount of Rs.4,030/- recovered from the petitioner's possession and Rs.39,500/- from an Office Assistant, Moorthy and Rs.32,000/- from petitioner's Driver Shanmugam. The petitioner gave explanation to the respondents that the amount was intended for purchasing bus tickets and also for other expenses for the petitioner's travel during the Deepavali festival. The registration of the case is not known to the petitioner. The Government issued G.O.Ms.No.107 referring



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the disciplinary proceedings against the petitioner along with two others, namely, Moorthy and Shanmugam, who were jointly involved in a disciplinary case. Therefore, the petitioner filed W.P (MD).No.26572 of 2024 before the Madurai Bench of this Court seeking a direction to complete the enquiry within a specified time limit. On 12.11.2024, the learned Government Pleader submitted that F.I.R. registered in the year 2019. Thereafter it is seen that F.I.R. was kept pending without any progress for almost 6 years. Hence, the above petition.

3.The learned Government Advocate submitted that in this case a surprise check was conducted on 25.10.2019 between 16.00 hours and 20.00 hours and the second respondent/Deputy Inspection Cell officer led the team and did surprise check. During surprise check from the office of the petitioner, an unaccounted cash of Rs.1,09,280/- was seized, of which, from the money purse of petitioner, an amount of Rs.4,030/- was seized and she gave explanation that money was intended for purchasing of bus ticket and other



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expenses. From the other accused, namely, Moorthy/A2 a sum of Rs.39,500/-

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and A3/Shanmugam, a sum of Rs.32,000/- seized and from the money purse of one Porselvi, Senior Revenue Inspector, an amount of Rs.2,290/- seized and from a private individual in the office, a sum of Rs.14,000/- seized and some more amounts were seized from the private individuals. Now investigation completed on 12.07.2022 citing 11 witnesses and 10 documents and it was referred to departmental action against the petitioner, Moorthy and Shanmugam.

The draft charge memo prepared on 12.01.2024 and it was sent to the Additional Chief Secretary/Commissioner of Revenue Administration, Chepauk for further action. It is true that petitioner earlier filed W.P(MD).No.26572 of 2022 and Madurai Bench of this Court passed an order to appoint an enquiry officer within a period of four weeks from the date of receipt of the order copy and to complete the departmental enquiry on or before 31.05.2025. Pursuant to the order now one V.Latha, District Revenue Officer/Principal Civil Services Training Institute, Bhavani Sagar, Erode is appointed as Enquiry Officer to enquire into the charges framed against the petitioner, Moorthy and Shanmugam



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vide G.O.(1D) No.167, Revenue and Disaster Management, dated 13.03.2025.

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After consulting with the enquiry officer the documents will be handed over to the enquiry officer at the earliest. In any event, all steps would be taken to complete the enquiry within the period stipulated by this Court. Further steps taken to file F.I.R. closure report before the learned Chief Judicial Magistrate/Special Judge, Tiruppur.

4.From the submission of learned Government Advocate it is seen that now matter has been referred to departmental enquiry and enquiry officer has been appointed and draft charge memo is also made ready. In view of the same, nothing survives for adjudication in this 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 Inspector of Police,
The Vigilance and Anti-Corruption,
Tiruppur, Tiruppur District.
- 2.The Deputy Inspection Cell Officer,
Office of Inspection Cell Officer,
Coimbatore, Coimbatore District.
- 3.The Public Prosecutor,
High Court, Madras.

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and

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