



WEB COPY



Crl.O.P.No.29042 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.29042 of 2025

and

Crl.M.P.No.19677 of 2025

1.Saranya

2.Prabhu

... Petitioners/Accused

Versus

1.The Union Territory of Puducherry

rep. by The Inspector of Police,
Vigilance & Anti-Corruption Police Station,
Puducherry.
(Crime No.09/2025)

2.Mohamed Rafik

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for records in Crime No.09 of 2025 on the file of the 1st respondent and to quash the same as against the petitioners.

For Petitioners : Mr.K.Udayakumar
for Mr.R.C.Paul Kanagaraj

For Respondent-1 : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)



ORDER

The petitioners, who are A1 and A2 in Crime No.9 of 2025 had filed this quash petition.

2.The contention of the petitioners is that both the petitioners are serving in the police department as Sub Inspector of Police in the State of Puducherry. An F.I.R. has been registered against the petitioners for offence under Sections 7, 12 r/w 13(1)(b) of the Prevention of Corruption Act ('PC Act'). The second respondent/de-facto complainant's wife lodged a complaint earlier on 05.06.2024 for missing of her daughter. The allegation is that the first petitioner not taken immediate steps and facilitated the de-facto complainant's daughter to elope with another person from Puducherry to Kerala and to Maharashtra and thereafter to the State of Assam. It took 3 days for the first petitioner to form a team to search the second respondent's daughter.

3.The further contention of the learned counsel for petitioners is that the second respondent was in Saudi Arabia at that time. It is his wife, who lodged a complaint. Immediately steps were taken. Since constitution of the team is not within the purview of the first petitioner, she has to get orders from the superior officers. Hence, it took some time. During the search, she travelled to various places following the tower location. In fact, the first petitioner camped in Delhi



for more than 12 days, at that time she received an amount of Rs.5,000/- through G-Pay from unknown number. Since she was engrossed in the search of the second respondent/de-facto complainant's daughter she was unable to respond immediately. Thereafter she came back to Puducherry, informed her husband about the receipt of Rs.5,000/- on 21.06.2024 from the unknown number. In the meanwhile, the second respondent lodged a complaint to the Director General of Police. The Director General of Police conducted enquiry with regard to the receipt of Rs.5,000/- and came to a conclusion that it is the second respondent's friend Younis, who informed and gave details of the first petitioner and the second respondent sent the amount. The statement of Younis and second respondent confirmed that there was no demand made by the first petitioner. Further the first petitioner had a tiff with his superior officer Superintendent of Police when she sought for medical leave on 06.06.2023. Thereafter charge memo issued as though she had taken steps to influence the Superintendent of Police through the Home Minister, which all added up to the above case.

4.The learned Public Prosecutor (Puducherry) strongly opposed the petitioners' contention submitting that the receipt of Rs.5,000/- by the first petitioner is not disputed. Further, this amount of Rs.5,000/- returned to the



second respondent's bank account on 06.08.2024, only after the complaint lodged against the first petitioner on 06.07.2024 to the Vigilance and Anti-Corruption, money sent back which would clearly prove that the amount received was nothing but illegal gratification. He further submitted that now investigation completed, sanction for prosecution under Section 19 of P.C. Act obtained and soon final report to be filed.

5.The learned counsel for the petitioners at this stage requests for withdrawal of the above petition with liberty to challenge the charge sheet, since the Public Prosecutor informed that sanction for prosecution obtained. He made an endorsement in the petition to that effect.

6.In view of the above submission and endorsement made by the learned counsel for petitioners, this Criminal Original Petition is dismissed as withdrawn. Consequently, the connected Criminal Miscellaneous Petition is closed. The petitioner can challenge the charge sheet, if so desire.

12.11.2025

Index : Yes/No
Speaking order/Non-speaking order
Neutral citation: Yes/No
rsi



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To

1.The Inspector of Police,
Vigilance & Anti-Corruption Police Station,
Puducherry.

2.The Public Prosecutor,
Puducherry.



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M.NIRMAL KUMAR, J.

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