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WP Crl. No. 1757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

WP Crl. No. 1757 of 2025

AND

WPMP CRL. NOS. 825 and 826 OF 2025

Arvind Ravitchandirane
S/o Ravitchandirane, No.21,
Muthumariamankoil Street,
Puducherry.

Petitioner(s)

Vs

1. The Secretary to Government of India,
Ministry of Home Affairs (North Block),
Central Secretariat,
New Delhi – 110 001.

2.The Director,
Central Bureau of Investigation (CBI),
New Delhi.

3.The Commandant (MU)
Ministry of Home Affairs,
Government of India, New Delhi.

4.The Deputy Inspector General of Police,
HOB,
CBI ACB, Chennai.

Respondent(s)

WPMP Crl. No. 825 of 2025

1. Arvind Ravitchandirane



WP CrI. No. 1757 of 2025

S/o Ravitchandirane, No.21,
Muthumariamankoil Street,
Puducherry.

Appellant(s)

Vs

1. The Secretary to Government of
India
Ministry of Home Affairs (North
Block), Central Secretariat, New Delhi.

2. The Director
Central Bureau of Investigation (CBI),
New Delhi.

3. The Commandant (MU)
Ministry of Home Affairs, Government
of India, New Delhi.

4. The Deputy Inspector of Police, HOB
CBI ACB, Chennai.

Respondent(s)

WPMP CrI. No. 826 of 2025

1. Arvind Ravitchandirane
S/o Ravitchandirane, No.21,
Muthumariamankoil Street,
Puducherry.

Appellant(s)

Vs

1. The Secretary to Government of
India
Ministry of Home Affairs (North
Block), Central Secretariat, New Delhi.

2. The Director
Central Bureau of Investigation (CBI),
New Delhi.



WP CrI. No. 1757 of 2025

3.The Commandant (MU)
Ministry of Home Affairs, Government
of India, New Delhi.

4.The Deputy Inspector of Police, HOB
CBI ACB, Chennai.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India, 1950 praying to issue a Writ of Certiorari Mandamus to call for the records and pass such further or other orders in the impugned order dated 17.09.2024 passed in No.SU/CHN/TS(06)/2024-1 by the 2nd respondent read with the order dated 24.09.2024 passed in No.14/3/97-T(2024)/CBI-9 passed by the 3rd respondent herein and quash the same as illegal and unconstitutional and consequently direct the respondents herein to destroy all the intercepted messages/transcripts conversations of the petitioner pursuant to the impugned orders dated 17.09.2024 read with order dated 24.09.2024 in accordance with law and refrain them from using the same in any manner against the petitioner.

For Petitioner : Mr.M.Arvind Kumar

For Respondents : Mr.K.Srinivasan
Special Public Prosecutor For CBI Cases

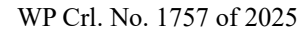
ORDER

The petitioner/A4 in Spl.C.C.No.3 of 2025 facing trial before the learned Principal Sessions Judge cum Special Judge for cases under PC Act at Puducherry for offence under Section 61(2) of BNS r/w Sections 7, 7A, 8, 9 and 12 of the Prevention of Corruption Act (in short 'PC Act') had filed the above writ petition seeking to quash the impugned order passed by the second respondent dated 17.09.2024 and the order passed by third respondent dated 24.09.2024.



2.The contention of the petitioner is that M/s.Vijaya Industrial Alcohols Limited/A6 applied for clearance from Puducherry Pollution Control Committee for getting clearance certificate. It is alleged that there was payment of bribe amount and the bribe amount was paid on behalf of petitioner/A4. Further there was some telephonic conversation between the other accused primarily in the Mobile No.96777 14927 of A3 which was intercepted invoking Information Technology Act, 2000 and Indian Telegraph Rules, 1951. The second respondent ordered interception for 7 days and thereafter third respondent ordered interception for 60 days on 24.09.2024.

3.The learned counsel for petitioner submitted that this Court in W.P.No.143 of 2018 passed an elaborate order considering the validity of interception of telephonic conversation for public emergency or in the interests of public safety and relying upon the Hon'ble Apex Court judgment in the case of *K.S.Puttaswamy (Aadhaar-5J) vs. Union of India* reported in 2019 (1) SCC 1, held that interception of conversation collected in violation of Section 5(2) of the Act and Rule 419-A(17) of the Rules cannot be used for any other purpose whatsoever. Hence, the impugned order is to be quashed and consequently any evidence or materials collected pursuant to the impugned order all to be erased and cannot be relied by the prosecution.



5/8



5.The specific order passed in W.A.No.2721 of 2025 is extracted hereunder:

“2. Having heard the learned counsel appearing for both sides, we are inclined to pass the following interim order:

(i) Let the trial pending before the concerned criminal Court go on, where examination of witnesses can also be taken up. However, the evidence part which has been collected by the prosecution pursuant to the interception permission secured from the authorities concerned under Section 5(2) of the Indian Telegraph Act,1885 shall not be marked or shall not be recorded until further orders.

(ii) It is made clear that, any other proceedings including the one for discharge filed by the first respondent can be persuaded in the manner known to law.”

6.In view of the same, there is no impediment for the trial Court to proceed with the trial except for the limited stay granted by the Division Bench of this Court with regard to the electronic evidence. In all other aspects the trial Court can proceed with the case. It is made clear that the petitioner can avail any benefit depending upon the outcome of the writ appeal, if he is entitled to.



WP CrI. No. 1757 of 2025

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7. With the above observations, the Writ Petition stands disposed of.

Consequently, the connected writ miscellaneous petitions are closed.

19-12-2025

Index : Yes/No

Internet : Yes/No

Speaking order/Non-speaking order

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To

1. The Secretary to Government of India,
Ministry of Home Affairs (North Block),
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New Delhi – 110 001.

2. The Director,
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HOB,
CBI ACB, Chennai.

5. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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