



CRL MP(MD). No.925 of 2025

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

**Friday, the Fourteenth day of February Two Thousand and Twenty Five
PRESENT**

The HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL MP(MD). No.925 of 2025

in

CRL OP(MD) No.10158 of 2024

The Director of Rural Development
and Panchayat Raj
O/o. the Director of Rural Development
and Panchauat Raj
Panagal Building Saidapet, Chennai - 600 015

... Petitioner

Vs

- 1 Venkatesan,
- 2 The Deputy Superintendent of Police
Manapparai Sub Division Trichy District.
- 3 The Inspector of Police,
Valanadu Police Station
Trichy District.
Crime No. 105 of 2024.
- 4 Mookan
- 5 The Inspector of Police,
Vigilance and Anti-Corruption Department
Trichy District.



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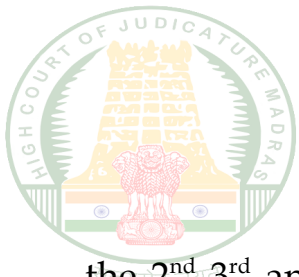
Prayer in CRL MP(MD). 925/ 2025 :

Criminal Miscellaneous Petition filed under sec. 528 BNSS to Recall the order dated 18.07.2024 passed in CrI.O.P.(MD). No. 10158 of 2024 in so far as it directs the Inspector of Police, the Vigilance and Anti Corruption Department, Trichy to initiate prosecution as against the concerned Officer, who has failed to give consent for initiating prosecution under section 17 A of the Prevention of Corruption Act, 2018, beyond the period of three months.

Prayer in CRL OP(MD). 10158/ 2024 :

Criminal Original Petition filed under sec. 528 BNSS, 2023 to direct the learned First Addl Sessions Court (PCR), Trichy to Consider of the bail application on the surrender of the Petitioners in connection with case in Cr No.105/2024 dt.06.07.2024, pending investigation on the file of the 2nd Respondent .

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Veerakathiran, Additional Advocate General assisted by Mr.P.T.Thiraviam, Government Advocate for the Petitioner and of Mr.A.Joel Paul Antorny, Advocate for the 1st Respondent and of Mr.T.Senthil Kumar, Additional Public Prosecutor for



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the 2nd, 3rd and 5th Respondents and of Mr.M.Pitchai Muthu, Advocate for the 4th Respondent, this Court made the following order:

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This Court, while dealing with the petition filed by an accused in Cr.No.105 of 2024 on the file of the Valanadu Police Station, Trichy, in CrI.O.P.(MD)No.10158 of 2024, found that the criminal case registered against the accused has been subsequently transferred to the Vigilance and Anti-Corruption Department, Trichy. The Vigilance and Anti-Corruption Department has conducted an inquiry and found that a fraud has been played and therefore, they made a request for approval to prosecute the accused by filing an application as required under Section 17A of the Prevention of Corruption Act, 2018. It was reported before this Court that the application filed under Section 17A of the Prevention of Corruption Act has not been attended by the concerned officer and therefore, further course of action has not been taken. The statute prescribes a time limit for taking a decision on the application filed under Section 17A of the Prevention of Corruption Act. However, there was a delay. Therefore, this Court, under the impression that delay has been caused at the office of the Directorate in order to facilitate the accused to commit the offence, has issued a direction to the Investigating Agency to proceed as against the concerned Officer, who delayed the process of giving consent for initiating prosecution under Section 17A of the Prevention of Corruption Act against the



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accused in Crime No.105 of 2024. Now, the Director of Rural Development and Panchayat Raj has filed this petition to re-call the direction issued by this Court in the order dated 18.07.2024 in Crl.O.P.(MD)No.10158 of 2024.

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2. The learned Additional Advocate General, in support of this petition, submits that the Director has acted swiftly on the application filed by the Investigating Agency under Section 17A of the Prevention of Corruption Act by issuing a proceedings in Na.Ka.No.504/2024 dated 27.01.2024 calling upon the Assistant Director (Panchayats), Tiruchirappalli, to conduct an inquiry with regard to the allegations made by the Investigating Agency.

3. The learned Additional Advocate General has also relied on the subsequent proceedings of the Assistant Executive Engineer, Manapparai Sub Division, Tiruchirappalli, dated 15.04.2024 that he has conducted an inquiry and submitted a report, based on which, further course of action has been taken.

4. This Court considered the submissions made by the learned Additional Advocate General.

5. This Court, while dealing with the petition filed by the accused in Crime No.105 of 2024, by considering the delay in dealing with the application filed under Section 17A of the Prevention of Corruption Act, was under the impression that the delay has been caused to help the accused. Now, it is clarified by the learned



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Additional Advocate General that based on the application, they have acted properly, by issuing a communication to the Assistant Director and inquired into the allegations and based on the report of the Assistant Executive Engineer, further course of action has also been taken.

6. In view of the clarification made by the Director of Rural Development and Panchayat Raj, this petition is allowed and the direction issued in paragraph-9 of the order dated 18.07.2024 in CrI.O.P.(MD)No.10158 of 2024, directing the Inspector of Police, Vigilance and Anti Corruption Department, Trichy, to initiate prosecution as against the concerned officer, who failed to give consent for initiating prosecution under Section 17A of the Prevention of Corruption Act, 2018 beyond the period of three months, is hereby recalled.

Sd/-

ASSISTANT REGISTRAR (C.O)

// True Copy //

/02/2025

Sub Assistant Registrar
(CS-I / II / III / IV)

TO



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1. The Deputy Superintendent of Police
Manapparai Sub Division Trichy District.
2. The Inspector of Police,
Valanadu Police Station Trichy District.
Crime No. 105 of 2024.
3. The Inspector of Police,
Vigilance and Anti-Corruption Department
Trichy District.
4. The Director of Rural Development
and Panchayat Raj
O/o. the Director of Rural Development
and Panchauat Raj
Panagal Building Saidapet, Chennai – 600 015
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 14/02/2025

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ORDER

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in

CRL OP(MD)No.10158 of 2024

AS -(21.02.2025) 7P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.