

CrI.O.P.(MD)No.6766 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29.04.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.6766 of 2025

and

CrI.M.P.(MD)No.4952 of 2025

1. R.Shanmugavel
2. M.Pandi

... Petitioners

versus

1. The Inspector of Police,
Vigilance and Anti-Corruption Department,
Ramanathapuram District,
Ramanathapuram.
2. N.Rajeshwari
D/o.Natarajan,
Inspector of Police,
Vigilance and Anti-Corruption Department,
Ramanathapuram District.

... Respondents

Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), to call for the records pertaining to the First Information Report in Crime No.2 of 2022 dated 24.01.2022 on the file of the respondent No.1 and quash the same as illegal.



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For Petitioners : Mr.T.Lajapathi Roy,
Senior Counsel
for M/s.Roy and Roy Associates

For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The petitioners are accused Nos.2 and 4 in Crime No.2 of 2022 on the file of the respondent Police. The respondent Police registered the said case as against the petitioners and 9 others on 24.01.2022 for the offence under Sections 13(2) r/w. 13(1)(a) of Prevention of Corruption Act and Sections 467 and 468 r/w. 34 IPC.

2. The 1st petitioner was a former Sanitary Officer and 2nd petitioner was a former Sanitary Inspector of Paramakudi Municipality and they are not the authorities to procure the materials, if any, as projected by the respondent Police. However, by including the petitioner's names, the FIR has been registered and the same is kept pending without any progress. To quash the FIR proceedings, the petitioners have filed this petition.



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3. The learned Additional Public Prosecutor submits that the first petitioner/A2 was working as a Sanitary Officer of Paramakudi Municipality from 01.03.2018 to 25.10.2021. The second petitioner/A4 was working as a Sanitary Inspector from 10.11.2014 to 11.10.2021. Both the petitioners were under suspension and they were not allowed to retire from service. According to the learned Additional Public Prosecutor, in the process of procuring sanitary materials, such as, sanitizers, face masks and gloves and other materials, during the corona period, a fraud has been committed in the Paramakudi Municipality to the tune of Rs.81,48,000/-. Therefore, on source information, a case was registered on 24.01.2022 and they have also completed the investigation. During the course of investigation, they have examined 32 witnesses and collected 40 documents. According to the learned Additional Public Prosecutor, there are materials as against the petitioners and therefore, they are going to file the final report as against the petitioners also. The learned Additional Additional Public Prosecutor further submits that a draft final report has been sent to the Director of Vigilance and Anti-Corruption Department for his approval on 22.04.2025 and depending on



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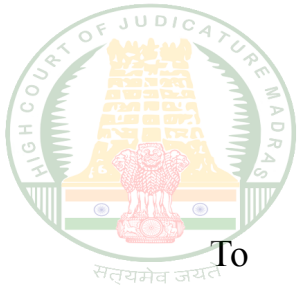
the order of the Director of Vigilance and Anti-Corruption Department,
the final report would be filed within a stipulated time.

4. Since it is reported by the respondent Police that they have concluded the investigation and also sent the draft final report for the approval of the Director of Vigilance and Anti-Corruption Department, this Criminal Original Petition is closed with a direction to the respondent Police to file the final report within a period of three months from the date of receipt of a copy of this order. This Court has not considered the grounds raised by the petitioners in support of this petition. It is open to the petitioners to raise the grounds depending on the final report filed as against the petitioners. Consequently, connected miscellaneous petition is closed.

29.04.2025

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NCC : Yes / No.
Index : Yes / No.
Internet: Yes / No.



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To

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1. The Inspector of Police,
Vigilance and Anti-Corruption Department,
Ramanathapuram District,
Ramanathapuram.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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