



Crl.R.C.(MD)No.895 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 31.07.2025

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.R.C.(MD)No.895 of 2025

P.C.Rajan

...Petitioner

vs.

**State Rep. by
The Inspector of Police,
Vigilance and Anti-Corruption,
Tirunelveli District.**

...Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 of BNSS praying to call for the records in Crl.M.P.No.233 of 2022 in Spl.C.No.3 of 2022 dated 13.06.2025 on the file of the Special Court for Prevention of Corruption Act Cases, Tirunelveli District and duly set aside the same and consequently discharge the accused.

For Petitioner : Mr.K.Prabhu

**For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor**

ORDER

This Criminal Revision Case has been filed challenging the order passed by the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Tirunelveli in Crl.M.P.No.233 of 2022 in Spl.C.No.3 of 2022 dated 13.06.2025.



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2. The petitioner, who is the first accused, has been charged for the offences under Sections 120(b), 167, 420 r/w 34 of IPC and Section 13(2) r/w 13(1)(d)(i)(ii)(iii) of the Prevention of Corruption Act, 1988, on the allegation that the petitioner, former Chairman of Kalakkadu Town Panchayat along with another accused have converted the cultivating lands into housing plots and sold them without following Tamilnadu Government Rules and Regulations. They have also failed to allocate 10% of the land for public use as mandated and did not collect development fees. Due to such violations, they caused financial loss to the tune of Rs.1,92,69,487/- to the Government.

3. Based on the complaint given by one Muthappa, FIR was registered in Crime No.2 of 2016 and after the completion of investigation, charge sheet has been filed against the accused for the aforesaid offences. The same was taken on file as Spl.C.No.3 of 2022 by the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Tirunelveli. Thereafter, the petitioner has filed a petition in Crl.M.P.No.233 of 2022 in Spl.C.No.3 of 2022 seeking to discharge him from all the charges levelled against him and the same was dismissed. Aggrieved over the same, the present revision case is filed.



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4. The learned counsel for the petitioner submitted that the learned Special Judge has failed to properly consider the entire materials on record, particularly with respect to the fact that the petitioner was not the competent authority to collect development charges. It is further submitted that the petitioner has not benefitted anything and the loss if any caused was only by the second accused.

5. The learned Additional Public Prosecutor submitted that the act of the petitioner in being the agent to sell all those private lands by knowing that they are not given with any approval by following the Government Order and the guidelines, have caused loss to the Government and there are materials available on record to show the incriminating act done by the petitioner.

6. From the statement of the witnesses and the materials, it has been stated that without following the Government Orders and guidelines with regard to obtaining the layout approval for private lands, the lands have been allowed to be converted into house plots and sold to various persons. In this regard, no resolution has been passed in the Panchayat Council. Neither fees under the head 'Development Charges' has been collected nor 10% of the land was allocated for public use. As the



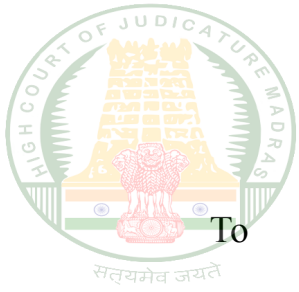
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materials produced would make out a case against the petitioner, it is right for the Trial Court to dismiss the petition filed by the petitioner under Section 227 Cr.P.C. As there are sufficient materials available on record to frame charges against the petitioner, I find no merits in this revision case.

7. Accordingly, this Criminal Revision Case is **dismissed**. Taking into account of the large loss caused to the Government, I feel it is appropriate for the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Tirunelveli to conduct trial and dispose the case in Spl.S.C.No.3 of 2022 as expeditiously as possible.

31.07.2025

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To

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1.The Special Judge,
Special Court for Prevention of Corruption Act Cases,
Tirunelveli District

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.N.MANJULA, J.

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