

**IN THE COURT OF SPECIAL JUDGE FOR TRIAL OF CASES UNDER
THE PREVENTION OF CORRUPTION ACT, SIVAGANGAI**

**Present : Tmt.J.Anithachristy, M.L.,
Special Judge,**

Special Court for Trial of Cases under
Prevention of Corruption Act,
Sivagangai.

Tuesday, 10th day of March, 2026

RCS No. 01/2026

in

Cr.No. 02/2020

State of Tamil Nadu Rep. by

The Inspector of Police,

Vigilance and Anti Corruption, Sivagangai Detachment.

in Cr.No.02/2020, 167, 409, 468, 471, 477-A IPC

and Section 13(2) r/w 13(1)(c) & (d)

of the Prevention of Corruption Act, 1988.

... Complainant

V/s.

Thiru P.Azhagu,

Warden, Backward Classes and Minorities Welfare Hostel,

Sivagangai,

I/c. Warden,

Idayamelur Hoste,

Sivagangai District.

...Accused

This case coming on this day for final hearing before me in the presence of Tr.John Britto, Deputy Superintendent of Police, Vigilance and Anti Corruption, Detachment Sivagangai for Complainant and the defacto complainant

Tr.M.Kumaravel, then Inspector of Police, Vigilance and Anti Corruption, Sivagangai, who appeared on 09.03.2026 and upon hearing the arguments and perusing the documents, this court delivered the following:-

ORDER

1. The Inspector of Police, Vigilance and Anti-Corruption, Sivagangai has filed a requisition seeking permission of this Court to drop further action and close the FIR in V&AC Cr.No.02/2020 registered against Thiru P.Azhagu, Warden, Backward Classes and Minorities Welfare Hostel, Sivagangai and In-charge Warden, Idayamelur Hostel, for the offences under Sections 167, 409, 468, 471, 477-A IPC and Section 13(2) r/w 13(1)(c) & (d) of the Prevention of Corruption Act, 1988.

2. It is submitted that while the Inspector of Police, Vigilance and Anti-Corruption, Sivagangai Detachment was in office on 23.09.2020 at about 14.30 hrs, based on the memorandum noted in P.E.No.145/2018/BCW/SG of the Directorate of Vigilance and Anti-Corruption, a case was registered in Cr.No.02/2020 against the accused officer.

3. The accused Thiru P.Azhagu was working as Warden, Backward Classes and Minorities Welfare Hostel, Sivagangai from 01.06.2015 and was also holding additional charge of the Backward Classes and Minorities Welfare Hostel, Idayamelur from 05.10.2015, and thus he is a public servant as defined under Section 2(c) of the Prevention of Corruption Act, 1988.

4. Based on credible information regarding alleged malpractices in claiming Government funds meant for hostel students, a Preliminary Enquiry in P.E.No.145/2018/BCW/SG dated 15.05.2018 was conducted by the Directorate of Vigilance and Anti-Corruption. During the enquiry it came to light that Government provides food and other allowances to hostel students through the Backward Classes and Minorities Welfare Department. As per the instructions of the Department, provisions such as rice, dhal, vegetables, eggs, milk and other items are supplied through TNCSC and PAMCO, while certain items like oil and soap are purchased by the hostel warden and bills are reimbursed by the Department.

5. It was alleged that the accused officer falsified the Attendance Register, Purchase Register, Daily Meals Issue Note and Monthly Abstract Register of the Backward Classes and Minorities Welfare Hostel, Idayamelur by showing that 50 students were residing in the hostel, though the actual number of students was less. During verification, it was found that 9 students had already obtained Transfer Certificates and left the school, and therefore they could not have been residing in the hostel. Further enquiry revealed that some of those students had joined other schools and hostels. However, the accused officer allegedly continued to show their names in the attendance register and claimed food and other allowances in their names.

5.1. It was also alleged that the accused officer falsified the signatures of cooks in the Daily Meals Issue Register and used the fabricated records as

genuine. By such acts, the accused officer allegedly misappropriated Government provisions such as rice, dhal, vegetables, milk, eggs, gas, soap and other items meant for the students.

5.2. Thus, it was alleged that the accused officer abused his official position and dishonestly misappropriated Government funds to the extent of Rs.74,840/- during the years 2017–2018 by committing criminal breach of trust, forgery, falsification of accounts and by using forged documents as genuine.

6. Based on the above allegations, the case in V&AC Cr.No.02/2020 was registered and the original FIR was submitted before this Court, and the investigation was entrusted to the Deputy Superintendent of Police, Vigilance and Anti-Corruption, Sivagangai Detachment for further investigation. It is further submitted by the Investigation Officer that after conducting detailed investigation, the materials collected are not sufficient to prove the criminal charges against the accused before a Court of law. However, certain administrative lapses were noticed. Hence it was recommended that departmental action be initiated against the accused officer through the Tribunal for Disciplinary Proceedings.

6.1. It is further submitted that the Director, Vigilance and Anti-Corruption, Chennai accepted the recommendation, and the Government in Letter (D) No.54 dated 03.06.2025 of the Backward Classes, Most Backward Classes and Minorities Welfare (MWRU) Department, Secretariat, Chennai-9 ordered to conduct enquiry through the Tribunal for Disciplinary Proceedings against the accused officer.

6.2. The requisition filed by the Investigation Officer was taken on file and assigned R.C.S.No.1/2026. The concerned Inspector of Police, Vigilance and Anti-Corruption, Sivagangai appeared before this Court and filed a written submission stating that he has no objection to close the FIR as Action Dropped in view of the Government order directing departmental proceedings.

6.3. This Court perused the requisition, the materials placed and the Government order. Considering the fact that the evidence collected during investigation is not sufficient to sustain criminal prosecution and that the Government has ordered departmental enquiry through the Tribunal for Disciplinary Proceedings, this Court is satisfied that continuation of the criminal proceedings would not serve any useful purpose.

7. Now Tr.A.John Britto, Deputy Superintendent of Police, Vigilance and Anti Corruption, Detachment Sivagangai, has filed the Final Report u/s.173(2) Cr.P.C., seeking to close the above mentioned FIR since ordered departmental action against Accused Officer. Along with the final report he submitted the copies of section 161(3) Cr.P.C Statements of witnesses, Government Order, the Draft Final Report sent by the Director, V & AC, Chennai to the Vigilance Commissioner, Secretariat, Chennai.

8. That this court, before assigning referred charge sheet number, ordered notice to the defacto complainant as contemplated under Section 173(2)(ii) of Cr.P.C., r/w Rule 26(i) of Criminal Rules of Practice 2019, he appeared before this court on 09.03.2026.

9. That this court has perused the copies of the statements of 28 witnesses and Statement of Accused officer and the Government Order which are all enclosed along with the Final Report by the Deputy Superintendent Police. On such careful perusal and consideration this court does not find any concrete materials to base prima facie charge against the accused and to put them under trial before this court.

10. In view of the fact that the competent authority has accepted the recommendation of the Director, Vigilance and Anti-Corruption, ordered departmental action against Accused Officer and in view of the no-objection statement of the complainant, this Court is satisfied that no useful purpose would be served by keeping the FIR pending.

11. Accordingly, this court is inclined to accept the report filed by the Investigating Officer and the FIR in Crime No.02/2020 on the file of Sivagangai Vigilance and Anti-Corruption is hereby ordered to be closed as “Action Dropped” by invoking Rule 26(3)(i) of Criminal Rules of Practice, 2019.

In the result,

(i) that the final report filed by the Deputy Superintendent of Police is hereby accepted by this court and the FIR No.02/2020 registered against the accused under Sections Cr.No.02/2020, 167, 409, 468, 471, 477-A IPC and Section 13(2) r/w 13(1)(c) & (d) of the Prevention of Corruption Act, 1988 registered on 23.09.2020 by the Inspector of Police, V&AC, Sivagangai is also hereby closed.

(ii) that the original documents if any sought to be returned by the Deputy Superintendent of Police shall be directed to be sent to the Commissioner for Disciplinary Proceedings, Madurai and to obtain due acknowledgment for the same.

Dated the 10th day of March, 2026.

Special Judge,
Special Court for Trial of Cases Under
Prevention of Corruption Act,
Sivagangai.