IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE **MR. JUSTICE N. ANAND VENKATESH**

SUO MOTU Crl.R.C.No.1558 of 2023

1.State rep.by
The Deputy Superintendent of Police
Department of Vigilance and Anti-Corruption
Special Investigation Cell,
Chennai.

2.B.Valarmathi, F-58 Years
W/o.K.V.Balasubramanian
No.118, 6th Street, 1st Section
K.K.Nagar,
Chennai-600 078. ... Respondents

Criminal Revision case filed under Section 397 of Cr.P.C. to call for the records on the file of the Special Jude, Special Court for the cases under Prevention of Corruption Act, Chennai dated 24.12.2012 and set aside the same.

SUO MOTU Crl.R.C.No.1558 of 2023

N.ANAND VENKATESH., J.

This is yet another case where the Special Court for Prevention of Corruption Act Cases at Chennai has discharged a former Minister and her family from a case under the Prevention of Corruption Act. This case follows a now well-established pattern where the DVAC registers a case against a former Minister completes an investigation and files a final report. In the meantime, the opposition returns to power and the former Minister finds herself back in the political saddle. Discharge petitions are quickly filed and allowed as soon as the Minister returns to power thereby precluding any challenge to the order before this Court during the remaining spell of the Government. By the time the next Government is voted to power the law of limitation would have ring fenced any possible attempt to reopen the matter.

2.Mrs. B. Valarmathi was elected to the Tamil Nadu Legislative Assembly from the Alandur constituency on an AIADMK ticket in May 2001. Between 19.05.2001 and 26.08.2004 she was the Minister for Social Welfare Development. She was later the Minister for Rural Industries from 27.08.2004 to 13.05.2006. In the May 2006 elections, the AIADMK was voted out of power. On the basis of credible information received from sources the Vigilance and Anti-Corruption Unit of the State Police (DVAC) registered an FIR in Crime No.2/07/AC/HQ on 28.08.2007 against B. Valarmathi (A1), her husband K.V Balasubramanian (A2) and their two sons B. Muthamizhan (A3) and B. Moovendran

(A4) for offences under Section 13(2) read with Section 13(1)(e) of the Prevention of Corruption Act, 1988 and Sections 109 IPC read with Section 13(2) read with Section 13(1)(e) of the Prevention of Corruption Act, 1988. It was alleged that during the check period between 19.05.2001 and 13.05.2006, A1 in her capacity as a Minister in the State Cabinet had come into possession of substantial properties and pecuniary resources in her name as well in the names of her family members A2-A4.

3.In the course of the investigation, the DVAC recorded the statements of 111 witnesses and collected 149 documents. A final report under Section 173(2) Cr. P.C was filed before the Principal Sessions Court, Chennai on 23.10.2010 alleging the commission of offences under Section 13(2) read with Section 13(1)(e) of the Prevention of Corruption Act, 1988 against A1 and Sections 109 IPC read with Section 13(2) read with Section 13(1)(e) of the Prevention of Corruption Act, 1988 against A2 - A4. According to the prosecution, at the end of the check period, A1 was found to have in her possession pecuniary resources and properties disproportionate to her known sources of income to the tune of Rs.1,70,34,871/-. It was also alleged that A2-A4 had aided and abetted A1 by holding on behalf of A1, a substantial portion of the properties and pecuniary resources. The Principal Sessions Judge, City Civil Court, *vide* proceedings dated 02.02.2011 took cognizance of the case as C.C.No.7 of 2011 and made over the matter to the IV Additional Special Judge, City Civil Court, Chennai.

4.It is seen from the records that between 24.03.2011 and 04.08.2011, the accused took turns in absenting themselves before the Court resulting in the matter being adjourned from time to time. It must also be noticed at this juncture that in May 2011, the AIADMK was back in power in the State and A1 was also re-elected as an MLA on an AIADMK ticket from the Thousand Lights constituency. She was later made a Minister in the State Cabinet in December 2011.

5.From the records it is seen that the accused appeared before the Court on 04.08.2011 and received free copies of the material case papers. Thereafter, from 18.08.2011 to 29.09.2011 the matter was once again adjourned on account of the absence of the accused. On 18.10.2011, the case was transferred to the file of the Special Court for the trial of cases under the Prevention of Corruption Act and renumbered as C.C.No.16 of 2011. On the same day, A2, Balasubramanian filed a petition under Section 173(8) Cr.P.C seeking further investigation. This appears to have been the usual modus operandi for a similar pattern as was noticed in Suo Motu Crl.R.C No.1524 of 2023 concerning O.Paneerselvam wherein a petition for further investigation was filed and entertained at the behest of the accused.

6.On account of the pendency of the petition for further investigation, the matter was adjourned for 11 hearings from 28.11.2011 till 30.10.2012. By this time, A1 had become the Minister for Social Welfare. The DVAC suddenly found themselves in a

spot. The political winds had now changed direction, and the legal fate of the case too had to now change direction given the political circumstances of the day.

7.During the pendency of the petition for further investigation, on 09.11.2012, A1 filed Crl.M.P.No.933 of 2012 under Section 239 Cr.PC to discharge her from the case. A similar petition was filed on behalf of A2 to A4 in Crl.M.P.No. 934 of 2012. These discharge petitions were posted to 15.11.2012 for filing counter. Unsurprisingly the prosecution promptly filed its counter affidavit on 23.11.2012 in which it did a complete volte face from the stand taken in the charge sheet. In his cryptic and self-serving counter statement dated 22.11.2012, G. Sambandam, DSP, Special Investigation Cell, Vigilance and Anti-Corruption has observed as under:

> *"8. It is submitted that with regard to the averments mentioned in Para-9, the investigation reveals that the petitioner has not acquired any property during the check period 2001 to 2006 in her name."*

G.Sambandam, DSP, Special Investigation Cell, Vigilance and Anti-Corruption has, thereafter, requested the Special Court to pass "*any order or other orders*" in the discharge petition. It is rather strange and ironic that the very same G. Sambandam, DSP, Special Investigation Cell, Vigilance and Anti-Corruption had filed the charge sheet on 28.10.2010, against A1 - A4 in the previous DMK regime wherein he has taken a diametrically opposite stand by stating as follows:

> *"22. Thus, between 19.05.2001 and 13.05.2006 (check period) at Chennai, Tiruvallur, Kancheepuram, Madurai Chidambaram and at other places, A1- Tmt B. Valarmathi being a public servant, committed the offence of "criminal misconduct by public servant" by acquiring and being in possession of pecuniary resources and properties in her name and in the names of A2- Tr. K.V Balasubramanian, A3- Tr. B. Muthamizhan and A4 Tr. B. Moovendran which were disproportionate to her known sources of income to the extent of Rs 1,70,34,871.00 in which she could not satisfactorily account for and thereby A-1 Tmt. B. Valarmathi committed the offences punishable U/s 13(2) r/w Section 13(1)(e) of the Prevention of Corruption Act, 1988."*

It is, therefore, evident that after the change in power in the State in 2011, DVAC had, once again acted as the proverbial chameleon dancing to the tunes of the politicians in power. This is not the first time this Court has encountered this condemnable practice of the DVAC. There is a consistent pattern discernable in Suo Motu Crl.R.C.Nos.1480, 1481 and 1524 of 2023 as well. It is unfortunate that a premier investigation agency of the State has become a plaything in the hands of politicians.

8.Reverting to the case on hand, the DVAC having given up its stand in the charge sheet, the decks were now cleared for the Special Court to put its imprimatur on the modus operandi. The matter now moved with lightning speed. The counter affidavit of the DVAC was filed on 23.11.2012. On the same day, the defense counsel and

prosecution appear to have advanced arguments. This was obviously so since they were, by then, a part of one team. The Special Court reserved orders in the discharge petition on the same day. The matter was thereafter posted on 15.12.2012 and adjourned to 24.12.2012. On 24.12.2012 Crl.M.P.Nos.933 and 934 of 2012 were quickly allowed and A-1 to A4 were discharged from the case.

9.Having examined the order of discharge dated 24.12.2012 passed in Crl.M.P.Nos.933 and 934 of 2012 this Court is of the *prima facie* view that the Special Court had traversed way beyond its jurisdiction in a discharge petition and has conducted a mini-trial to discharge the accused. The orders of discharge, on the face of it reveal several palpable errors that is impossible for any trained legal mind to ignore.

10.It is seen from the impugned orders of discharge that in paragraph 11, the Special Court notices that "*there are various contradictions between the charge sheet and in the counter filed to Crl.M.P.Nos. 933/12 and 934/12* ". That the counter and the charge sheet were filed by the very same officer G. Sambandan ought to have alerted the Special Court that there was something amiss. As noted above, this volte-face was a deliberate ploy by the DVAC to short-circuit the prosecution since A1 was now a Minister in the State Cabinet.

11.According to the Special Court A1 had contended in her reply that the plot at Sholinganallur was purchased in the name of one Nachaiappan for which A2 was a power agent. Similarly, the accused had contended that the house plot at Sholinganallur could not be taken as an asset. The Special Court takes note of these submissions and observes:

> *"Had the prosecution conducted further investigation and recorded the statement of the above three persons the prosecution could have come to a fair conclusion and ascertain the explanation given by A1"*

If the Special Court felt that further investigation was necessary nothing prevented it from passing a direction to that effect. Instead of doing so, the Special Court has very strangely and curiously proceeded to discharge the accused. In other words, the Special Court discharged not because it found that the case against A1-A4 was groundless but on account of the fact that the investigation, in the opinion of the Special Court, was incomplete.

12.By completely ignoring the fact that what was before it was only a discharge petition, the Special Court has literally donned the role of a Chartered Accountant and enquired into the material adduced by the respondents, compared it with the information provided by the DVAC in the charge sheet and their counter-affidavit, and then pronounced a verdict on the merits of each individual allegation raised by the respondents largely relying upon the documents filed by them (by considering them to

be 'known sources of income' within the meaning of Section 13(1)(e) of the PC Act). The Special Court has, at several places, concluded that the prosecution has not proved the charge against the accused overlooking the fact that what was before it was a petition for discharge and not a final hearing post trial.

13.That apart, as has been pointed out in ***State of T.N.*** *v.* ***R. Soundirarasu*****, (2023) 6 SCC 768,** in a case under Section 13(1)(e) of the Prevention of Corruption Act, the accused cannot make an attempt to discharge this onus upon him at the stage of Section 239 Cr.PC. The Hon'ble Supreme Court has observed as under:

> **"***Section 13(1)(e) of the 1988 Act makes a departure from the principle of criminal jurisprudence that the burden will always lie on the prosecution to prove the ingredients of the offences charged and never shifts on the accused to disprove the charge framed against him. The legal effect of Section 13(1)(e) is that it is for the prosecution to establish that the accused was in possession of properties disproportionate to his known sources of income but the term "known sources of income" would mean the sources known to the prosecution and not the sources known to the accused and within the knowledge of the accused. It is for the accused to account satisfactorily for the money/assets in his hands. The onus in this regard is on the accused to give satisfactory explanation. The accused cannot make an attempt to discharge this onus upon him at the stage of Section 239CrPC. At the stage of Section 239CrPC, the court has to only look into the prima facie case and decide whether the case put up by the prosecution is groundless."*

14.The Special Court has rested its conclusions primarily on the basis of income tax returns which it has termed as "*an unimpeachable document*" which are "*quasi-judicial orders*" with which even "*a Court can not interfere*". It is now settled law that income tax returns are not unimpeachable documents as observed by the Special Court. The legal position is otherwise (See *State of Karnataka v. J. Jayalalitha, (2017) 6 SCC 263).* The aforesaid conclusions of the Special Court also appear to run counter to the decision of the Hon'ble Supreme Court in ***State of T.N.*** *v.* ***R. Soundirarasu*****, (2023) 6 SCC 768,** wherein the earlier decisions of the Hon'ble Supreme Court have been adverted to and the law has been explained as under:

> ***"****The second contention canvassed on behalf of the accused persons that every bit of information in regard to the assets had been intimated to the Income Tax Authorities and the documents in regard to the same should be sufficient to exonerate the accused persons from the charges is without any merit. In other words, the contention that the High Court rightly took into consideration the aforesaid for the purpose of discharging the accused persons from the prosecution is without any merit and erroneous more particularly in view of the decision of this Court in Thommandru Hannah Vijayalakshmi [CBI v. Thommandru Hannah Vijayalakshmi, (2021) 18 SCC 135 : 2021 SCC OnLine SC 923] . This Court has observed in SCC paras 61, 63 and 64 respectively, as under:*
>
> *"61. On the other hand, it has been argued on behalf of the appellant that the documents relied upon by the respondents are not unimpeachable and have to be proved at*

the stage of trial. Hence, it was urged that the arguments made on the basis of these documents should not be accepted by this Court. The appellant has relied upon the judgment of a two-Judge Bench of this Court in J. Jayalalitha [State of Karnataka v. J. Jayalalitha, (2017) 6 SCC 263 : (2017) 3 SCC (Cri) 1 : (2017) 2 SCC (L&S) 179] , where it has been held that documents such as income tax returns cannot be relied upon as conclusive proof to show that the income is from a lawful source under the PC Act. P.C. Ghose, J. held thus : (SCC pp. 514-15 & 517-18, paras 191 & 200-201)

'191. Though considerable exchanges had been made in course of the arguments, centering around Section 43 of the Evidence Act, 1872, we are of the comprehension that those need not be expatiated in details. Suffice it to state that even assuming that the income tax returns, the proceedings in connection therewith and the decisions rendered therein are relevant and admissible in evidence as well, nothing as such, turns thereon definitively as those do not furnish any guarantee or authentication of the lawfulness of the source(s) of income, the pith of the charge levelled against the respondents. It is the plea of the defence that the income tax returns and orders, while proved by the accused persons had not been objected to by the prosecution and further it (prosecution) as well had called in evidence the income tax returns/orders and thus, it cannot object to the admissibility of the records produced by the defence. To reiterate, even if such returns and orders are admissible, the probative value would depend on the nature of the information furnished, the findings recorded in the orders and having a bearing on the charge levelled. In any view of the matter, however, such returns and orders would not ipso facto

either conclusively prove or disprove the charge and can at best be pieces of evidence which have to be evaluated along with the other materials on record. Noticeably, none of the respondents has been examined on oath in the case in hand. Further, the income tax returns relied upon by the defence as well as the orders passed in the proceedings pertaining thereto have been filed/passed after the charge-sheet had been submitted. Significantly, there is a charge of conspiracy and abetment against the accused persons. In the overall perspective therefore neither the income tax returns nor the orders passed in the proceedings relatable thereto, either definitively attest the lawfulness of the sources of income of the accused persons or are of any avail to them to satisfactorily account the disproportionateness of their pecuniary resources and properties as mandated by Section 13(1)(e) of the Act.

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200. In Vishwanath Chaturvedi (3) v. Union of India [Vishwanath Chaturvedi (3) v. Union of India, (2007) 4 SCC 380 : (2007) 2 SCC (Cri) 302] , a writ petition was filed under Article 32 of the Constitution of India seeking an appropriate writ for directing the Union of India to take appropriate action to prosecute R-2 to R-5 under the 1988 Act for having amassed assets disproportionate to the known sources of income by misusing their power and authority. The respondents were the then sitting Chief Minister of U.P. and his relatives. Having noticed that the basic issue was with regard to alleged investments and sources of such investments, Respondents 2 to 5 were ordered by this Court to file copies of income tax and wealth tax returns of the relevant assessment years which was done. It was pointed out on behalf of the

petitioner that the net assets of the family though were Rs 9,22,72,000, as per the calculation made by the official valuer, the then value of the net assets came to be Rs 24 crores. It was pleaded on behalf of the respondents that income tax returns had already been filed and the matters were pending before the authorities concerned and all the payments were made by cheques, and thus the allegation levelled against them were baseless. It was observed that the minuteness of the details furnished by the parties and the income tax returns and assessment orders, sale deeds, etc. were necessary to be carefully looked into and analyzed only by an independent agency with the assistance of chartered accountants and other accredited engineers and valuers of the property. It was observed that the Income Tax Department was concerned only with the source of income and whether the tax was paid or not and, therefore, only an independent agency or CBI could, on court direction, determine the question of disproportionate assets. CBI was thus directed to conduct a preliminary enquiry into the assets of all the respondents and to take further action in the matter after scrutinising as to whether a case was made out or not.

201. This decision is to emphasize that submission of income tax returns and the assessments orders passed thereon, would not constitute a foolproof defence against a charge of acquisition of assets disproportionate to the known lawful sources of income as contemplated under the PC Act and that further scrutiny/analysis thereof is imperative to determine as to whether the offence as contemplated by the PC Act is made out or not.'

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63. At the very outset, we must categorically hold that the documents which have been relied upon by the respondents cannot form the basis of quashing the FIR. The value and weight to be ascribed to the documents is a matter of trial. Both the parties have cited previous decisions of two-Judge Benches of this Court in order to support their submissions. There is no clash between the decisions in Kedari Lal [Kedari Lal v. State of M.P., (2015) 14 SCC 505 : (2016) 2 SCC (Cri) 399 : (2016) 1 SCC (L&S) 841] and J. Jayalalitha [State of Karnataka v. J. Jayalalitha, (2017) 6 SCC 263 : (2017) 3 SCC (Cri) 1 : (2017) 2 SCC (L&S) 179] for two reasons:

63.1. The judgment in J. Jayalalitha [State of Karnataka v. J. Jayalalitha, (2017) 6 SCC 263 : (2017) 3 SCC (Cri) 1 : (2017) 2 SCC (L&S) 179] notes that a document like the Income Tax Return, by itself, would not be definitive evidence in providing if the "source" of one's income was lawful since the Income Tax Department is not responsible for investigating that, while the facts in the judgment in Kedari Lal [Kedari Lal v. State of M.P., (2015) 14 SCC 505 : (2016) 2 SCC (Cri) 399 : (2016) 1 SCC (L&S) 841] were such that the "source" of the income was not in question at all and hence, the income tax returns were relied upon conclusively; and

63.2. In any case, the decision in Kedari Lal [Kedari Lal v. State of M.P., (2015) 14 SCC 505 : (2016) 2 SCC (Cri) 399 : (2016) 1 SCC (L&S) 841] was delivered while considering a criminal appeal challenging a conviction under the PC Act, while the present matter is at the stage of quashing of an FIR.

64. In the present case, the appellant is challenging the very — "source" of the respondents' income and questioning the assets acquired by them based on such income. Hence, at the

stage of quashing of an FIR where the Court only has to ascertain whether the FIR prima facie makes out the commission of a cognizable offence, reliance on the documents produced by the respondents to quash the FIR would be contrary to fundamental principles of law. The High Court has gone far beyond the ambit of its jurisdiction by virtually conducting a trial in an effort to absolve the respondents."

In fact, even before this judgment, the Hon'ble Supreme Court in ***State of T.N. v. N. Suresh Rajan***, (2014) 11 SCC 709 has held that income tax returns cannot form the basis for discharging the accused in a corruption case. The Court has observed as under:

"While passing the order of discharge, the fact that the accused other than the two Ministers have been assessed to income tax and paid income tax cannot be relied upon to discharge the accused persons particularly in view of the allegation made by the prosecution that there was no separate income to amass such huge properties. The property in the name of an income tax assessee itself cannot be a ground to hold that it actually belongs to such an assessee. In case this proposition is accepted, in our opinion, it will lead to disastrous consequences. It will give opportunity to the corrupt public servants to amass property in the name of known persons, pay income tax on their behalf and then be out from the mischief of law."

15.The "*most important point*" for discharge, according to the Special Court, was

that a final opportunity notice was not given to A2 to A4 before filing the final report for them to account the properties held by them. The Special Court expressly placed on the decision of this Court in ***DVAC v K. Ponmudi***, (2007) 1 MLJ 100. The Special Court has gone on to observe:

> *"The non-issuance of final notice is gravely fatal to the prosecution in the light of admitting that they are not benamis of A1 or that they were abetted by A1 to purchase property in their names."*

It must be observed that the decision in ***DVAC v K. Ponmudi***, (2007) 1 MLJ 100, has been reversed by the Supreme Court in ***State of T.N. v. N. Suresh Rajan***, (2014) 11 SCC 709. Secondly, non-issuance of notice cannot by any stretch of imagination be a ground to discharge the accused in a case under Section 13(1)(e) of the Prevention of Corruption Act, 1988. The law in this regard is too well settled and one need only refer to the recent decision in ***State of T.N. v. R. Soundirarasu*, (2023) 6 SCC 768.** This decision arose out of an appeal from an order of this Court reported in **2017 SCC OnLine Mad 37894.** The contention raised before this Court, which found favour with the single judge was that the investigating Officer, before obtaining order of sanction to launch prosecution against the 1st accused, had to call for an explanation from him. As this was not done the accused was entitled to discharge. The Supreme Court set aside the order of this Court with the following observations:

> *"**43.** In CBI v. ThommandruHannahVijayalakshmi [CBI v. Tho*

mmandru Hannah Vijayalakshmi, (2021) 18 SCC 135 : 2021 SCC OnLine SC 923] , this Court, after an exhaustive review of its various other decisions, more particularly the decision in K. Veeraswami v. Union of India [K. Veeraswami v. Union of India, (1991) 3 SCC 655 : 1991 SCC (Cri) 734] , held that since the accused public servant does not have a right to be afforded a chance to explain the alleged disproportionate assets to the investigating officer before the filing of a charge-sheet, a similar right cannot be granted to the accused before the filing of an FIR by making a preliminary inquiry mandatory.

***44.** The above decision of this Court in Thommandru Hannah Vijayalakshmi [CBI v. Thommandru Hannah Vijayalakshmi, (2021) 18 SCC 135 : 2021 SCC OnLine SC 923] is a direct answer to the contention raised on behalf of the accused persons that the investigating officer wrongly declined to consider the explanation offered by the public servant in regard to the allegations and also failed to take into consideration the assets lawfully acquired by his wife."*

16.Thus, the order of discharge, *prima facie*, appears to rest on grounds that are clearly perverse and erroneous causing grave miscarriage of justice. This Court is aware that the accused persons were discharged on 24.12.2012 which was just 1½ years after A1's party came to power in the State in May 2011. It is common knowledge that the AIADMK remained in power till May 2021, and A1 went on to become the Chairman of the Textbook Corporation in the second stint (2017-2021). The modus operandi of quickly obtaining discharge as soon as the accused and his/her party return to power is a well-known game-plan. The very same pattern was noticed by this Court recently in

Suo Motu Crl.R.C.No.1524 of 2023 wherein it was observed as follows:

> *"The strategy is to get the DVAC to do a further investigation the sole objective of which is to further the cause of the accused. In this way, self-serving investigation reports giving clean chits to the accused are presented as a fiat accompli under the garb of further investigation. The Special Courts, for reasons best known, fall in line and in their keenness to ape lady justice accept the bait of the DVAC without any serious probe. In this way, the accused is discharged, and the solemnity of a judicial proceeding before the Court is reduced to a cruel joke. These tactics are usually resorted to immediately upon the party coming to power so as to ensure that no appeal is filed during the rest of the tenure, and by the time the Government changes any challenge would be hit by limitation. This is a pattern that I have seen in this case as well as the other cases in Cr.R.C.Nos.1480 and 1481 of 2023. Whatever be their radical political differences, the accused political personages across party lines appear to be united in their endeavour to thwart and subvert the criminal justice system in this State."*

This Court noticed the decision of the Hon'ble Supreme Court in ***Municipal Corpn. of Delhi v. Girdharilal Sapru***, (1981) 2 SCC 758 wherein it was held that when the attention of the High Court was drawn to a clear illegality the High Court should not reject the petition as time-barred thereby perpetuating the illegality and miscarriage of justice.

17.In the present case from the facts which are set out above, which are a

matter of record, this Court is of the view that a *prima facie* case is made out for exercise of suo motu powers under Sections 397 and 401 Cr.PC and Article 227 of the Constitution of India against the order of the Special Court for Prevention of Corruption Act Cases at Chennai, dated 24.12.2012 discharging A1 - A4 from C.C.No.16 of 2011. The following directions are, therefore, issued:

a.The learned Public Prosecutor takes notice on behalf of the State.

b.Issue notice to Accused No. 1- 4 in C.C.No.16 of 2011 before the Special Court for Prevention of Corruption Act Cases at Chennai who are the 2nd - 5th respondents herein returnable by 12.10.2023.

c.The Registry is directed to place a copy of this order before the Hon'ble Chief Justice for information.

08.09.2023

KP
Internet: Yes
Index: Yes/No
Speaking Order/Non-Speaking Order
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To
1. Special Jude, Special Court for the cases under
Prevention of Corruption Act, Chennai.

2. The Deputy Superintendent of Police
Department of Vigilance and Anti-Corruption
Special Investigation Cell, Chennai.

3.Public Prosecutor
High Court, Madras.

N.ANAND VENKATESH., J.

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SUO MOTU Crl.R.C.No.1558 of 2023

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