

## CASES PENDING BEFORE INTERMEDIATE COURT

**June 2012**

<i>S No</i>	<i>Cause No</i>	<i>Particulars of Charge</i>	<i>Date</i>
1.	20/10	<p style="color: red; text-align: center;"><b><u>PUBLIC OFFICIAL USING OFFICE FOR GRATIFICATION</u></b></p> <p><i>Breach of Section: 7(1) of the Prevention of Corruption Act 2002</i></p> <p><i>THAT on or about the 28<sup>th</sup> day of August 2005 at Riviere du Rempart Police Station, in the District of Riviere du Rempart one <b>BARDWAZ JUMNAH</b>, aged 45 years, Police Constable Departmental No. 383 and residing at Royal Road, Plaine des Roches, did whilst being a public official, wilfully, unlawfully and criminally, make use of his position for a gratification for himself.</i></p> <p><b><u>PARTICULARS</u></b></p> <p><i>On the aforesaid date and place, the said Bardwaz Jumnah whilst being a Police Constable enquiring into a case, wherein one Rakesh Langur and his cousin, Sooryadev Langur, were involved, made the said Rakesh Langur believe that the investigation would be carried in such a way that the outcome would only be the payment of a fine, provided that a sum of Rs 15,000/- is remitted to the said Bardwaz Jumnah.</i></p>	<i>Continuation 11.06.12</i>
2.	714/09	<p style="color: green; text-align: center;"><b><u>BRIBERY BY PUBLIC OFFICIAL</u></b></p> <p><i>Breach of Section 4(1) (a) (2) of the Prevention of Corruption Act</i></p> <p><i>THAT on the 29<sup>th</sup> day of November 2004 at Souillac Traffic Centre, in the District of Savanne, one <b>Sacheedanand VEERIAH</b>, aged 43 years, Police Sergeant Departmental No. 5218 and residing at Royal Road, Chamouny, did whilst being a public official, wilfully, unlawfully and criminally, solicit from another person, for himself, a gratification for abstaining from doing an act in the execution of his duties.</i></p> <p><b><u>Particulars</u></b></p> <p><i>On the date and place aforesaid, the said Sacheedanand Veeriah, did whilst being</i></p>	<i>Trial 11.06.12</i>

		<p><i>a Police Sergeant in uniform performing vehicle check along Souillac Traffic Centre, solicit sum of Rs 500/ for himself, from one Mr Vayid Baukar, so as to avoid latter facing any legal consequences regarding his driving Licence which according to Police Sergeant Veeriah appeared to be a fake one.</i></p>	
3.	208/10	<p><b>CHARGES OF: 1. TRAFIC D'INFLUENCE</b></p> <p><i>Breach of section 10(4) and 83 of the Prevention of Corruption Act 2002.</i></p> <p><b>2. PUBLIC OFFICIAL USING HIS POSITION FOR GRATIFICATION</b></p> <p><i>Breach of Section: 7(1) of the Prevention of Corruption Act 2002</i></p> <p><i>THAT on or about the 4<sup>th</sup> day of March 2009 at Forest Side in the District of Upper Plaine Wilhems one <b>LALLDEO MOOSANAH</b>, alias Gowtan, 37 yrs, Driver at CMT, Phoenix and residing at Clavet, Sebastopol, did wilfully, unlawfully and criminally obtain a gratification from any other person for himself in order to make use of his real influence to obtain a benefit from a public body.</i></p> <p><b><u>PARTICULARS</u></b></p> <p><i>On the aforesaid date and place the said <b>Laldeo Moosannah</b>, obtained sum of Rs 200/ for himself from one Suraj Moosannah to make use of his real influence for the obtention of a Test certificate from the National Transport Authority for Private car 1539 ZB 90 without it being physically examined.</i></p> <p><b><u>COUNT II</u></b></p>	<p><i>Trial</i> <i>21.06.12</i></p>

		<p><b>THAT</b> on or about the 4<sup>th</sup> day of March 2009 at Vehicle Examination Centre, National Transport Authority, Forest Side in the District of Upper Plaine Wilhems one <b>DANESH DOWLOT</b>, 34 yrs, Vehicle Examiner and residing at 142 Morcellement Bassin, Quatre Bornes, did whilst being a public official, wilfully, unlawfully and criminally, make use of his position for a gratification for another person.</p> <p><b><u>PARTICULARS</u></b></p> <p>On the aforesaid date and place, the said Danesh Dowlot whilst being a Vehicle Examiner, filled in a 'Vehicle Examination Report' in respect of private car 1539 ZB 90 without any physical inspection, for the issue of a certificate of fitness in respect of the said vehicle.</p>	
4.	934/09	<p><b><u>BRIBERY BY PUBLIC OFFICER</u></b></p> <p><i>Breach of Sections: 4(1) (a) and 4(2) of the Prevention of Corruption Act</i></p> <p><b>THAT</b> on or about the 6<sup>th</sup> day of January 2004 at Pamplemousses Police Station, in the District of Pamplemousses one <b>DARSHANAND DOYAL</b>, alias Paul, aged 43 yrs, Police Constable Departmental Number 347 and residing at Royal Road, Roche Noires did whilst being a public official, wilfully, unlawfully and criminally, obtain from another person, for himself, a gratification for abstaining from doing an act in the execution of his duties.</p> <p><b><u>PARTICULARS</u></b></p> <p>On the aforesaid date and place, the said <b>Darshanand Doyal</b>, whilst being a Police Constable on mobile patrol, obtained sum of Rs. 1,000/- and some 100 litchis for himself from one Gooroodeo Choomucksing, in order not to contravene latter for selling fruits at Beau Plan/Pamplemousses round about without being the holder of an appropriate licence.</p>	Cont 21.06.12
5.	1377/06	<p><b>1 <u>TRAFIC D'INFLUENCE</u></b> (2 Counts)</p> <p><b>Breach of Section 10 (4) of the Prevention of Corruption Act 2002</b></p>	Continuation 13.06.12 /25.06.1

**2 PUBLIC OFFICIAL TAKING GRATIFICATION** (2 Counts)

*Breach of Section 11(a) of the Prevention of Corruption Act 2002*

*THAT in the month of June 2004 at Baie du Tombeau, in the District of Pamplemousses, one **SATYAWAN KUTWAROO**, alias Kunal, aged 26 years, draughtsman, residing at SSR Street, Riviere du Rempart, did wilfully, unlawfully and criminally, obtain a gratification from a person, for another person, in order to make use of his fictitious influence, to obtain a benefit from a public body.*

**TO WIT :**

*In the abovementioned month and place, the said Satyawan Kutwaroo obtained from one Gopal Krishna Appadoo, a sum of Rs. 2500 out of Rs. 5000 to be remitted to one Iswaraj Ghallu, a Works Inspector at the Pamplemousses and Riviere du Rempart District Council to cause the development permit of the said Gopal Krishna Appadoo to be approved by the said District Council.*

**COUNT II**

*THAT on or about the 29<sup>th</sup> day of June 2004 at Baie du Tombeau, in the District of Pamplemousses, one **SATYAWAN KUTWAROO**, alias Kunal, aged 26 years, draughtsman, residing at SSR Street, Riviere du Rempart, did wilfully, unlawfully and criminally, solicit a gratification from a person, for another person, in order to make use of his fictitious influence, to obtain a benefit from a public body.*

**TO WIT :**

*On the abovementioned date and place, the said Satyawan Kutwaroo solicited from one Gopal Krishna Appadoo the sum of Rs. 50,000 to be remitted to one Iswaraj Ghallu, a Works Inspector at the Pamplemousses Riviere du Rempart District Council, to cause development permit of the said Gopal Krishna Appadoo to be approved by the said District Council.*

**COUNT III**

*THAT on or about the 6<sup>th</sup> day of July 2004 at Baie du Tombeau, in the District of Pamplemousses, one **ISWARAJ GHALLU**, aged 39 years, Inspector of Works, residing at Royal Road, Roches Noires, did wilfully, unlawfully and criminally, whilst being a public official, accept a gratification, for himself for doing an act which he induced a person to believe, he was empowered to do in the exercise of his duties, although as a fact such act did not form part of his duties.*

**TO WIT**

*On the abovementioned date and place, the said Iswaraj Ghallu, whilst being an Inspector of Works at Pamplemousses and Riviere du Rempart District Council made one Gopal Krishna Appadoo believe that he had approved his building permit and as such he took sum of Rs. 2500 from the said Gopal Krishna Appadoo.*

**COUNT IV**

*THAT in the months of January or February 2004 at Mon Loisir, Riviere du Rempart, in the District of Riviere du Rempart, one **ISWARAJ GHALLU**, aged 39 years, Inspector of Works, residing at Royal Road, Roches Noires, did wilfully, unlawfully and criminally, whilst being a public official, accept a gratification, for himself for doing an act which he induced a person to believe, he was empowered to do in the exercise of his duties, although as a fact such act did not form part of his duties.*

**TO WIT**

*In the abovementioned months and place, the said Iswaraj Ghallu, whilst being an Inspector of Works at Pamplemousses and Riviere du Rempart District Council made one Jacques Sylvain Nohar believe that he could cause the development permit of his step son, Mr Pascal Noel Ambroise, to be approved and as such took sum of Rs. 12000 from the said Jacques Sylvain Nohar.*

6.	1151/09	<p><b>CHARGE OF: BRIBERY OF PUBLIC OFFICIAL</b></p> <p><i>Breach of section 5(1) (b) &amp; (2) of the Prevention of Corruption Act</i></p> <p><i>THAT in or about the month of July 2002 along La Poudriere Street, in the district of Port-Louis, one <b>Thivynaidoo Perumal NAIKEN</b>, 52 years, Director of National Art Gallery (NAG) and residing at 10, Emmanuel Anquetil, Trefles, Rose-Hill, did wilfully, unlawfully and criminally offer a gratification to a public official, for doing an act which was facilitated by his functions.</i></p> <p><b><u>PARTICULARS</u></b></p> <p><i>On the date and place aforesaid, the said Thivynaidoo Perumal NAIKEN did offer an air ticket for France and a top class administrative office at the National Art Gallery to one Mr Sheshcoomar Seetohul, Chairperson of the National Art Gallery, so that the latter could help the said Thivynaidoo Perumal NAIKEN to be appointed as Director of the National Art Gallery.</i></p>	<p>PF(S) 05.06.1 2</p>
7.			