



CRL.OP.No.17530 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.OP.No.17530 of 2026

Maheshwaran

..Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
CCB Police Station,
Chennai.
(Crime No.164 of 2024)
2. M.Rajkumar,
Protector of Emigrants
(Tamil Nadu and Puducherry)
Ministry of External Affairs,
Government of India,
No.68, First Floor, DPI Campus,
EVK Sampath Maligai,
College Road, Chennai.

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records in F.I.R. No.164 of 2024 pending investigation on the file of the first respondent and quash the same.



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For Petitioner :

Mr.A.Mohan

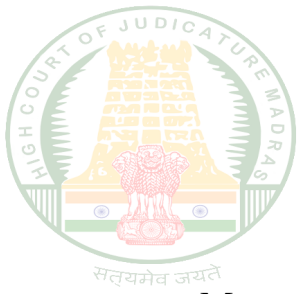
For Respondents :

Mr.M.Mohamed Riyaz, (For R1)
Government Advocate (Crl. Side)

ORDER

The prayer in the Criminal Original Petition is to quash the F.I.R. in Crime No.164 of 2024 dated 25.09.2024 on the file of the first respondent/Police.

2. A perusal of the F.I.R. reveals that the second respondent/Protector of Emigrants lodged a formal complaint alleging that an inspection was conducted at the premises of a corporate entity named M/s.Aram Visas Private Limited. The inspection revealed that the company was operating unauthorizedly without a valid license, entertaining prospective candidates under the pretext of overseas employment, and cheating them. Based on these allegations, a case was registered for the alleged offences under Sections 10 and 24 of the Emigration Act, 1983, and Section 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023. In the said F.I.R., the company is arrayed as A1, its



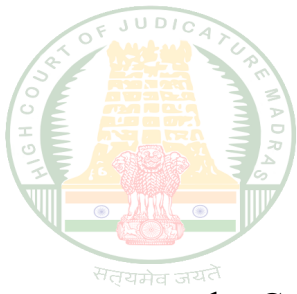
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Managing Director, one Ramkumar, is arrayed as A2, and the petitioner herein, Maheshwaran, is arrayed as A3.

3. The learned counsel appearing for the petitioner submitted that though the petitioner has been arrayed as A3, there is not a single specific allegation or overt act attributed to him in the F.I.R; that the petitioner was merely an ordinary employee/manager working for a fixed monthly salary and was executing his routine professional duties; that the petitioner is neither a beneficiary of the alleged illegal collections nor is there any accusation of criminal conspiracy or personal involvement against him. He further submitted that the F.I.R cannot be kept pending against an innocent employee for nearly two years when no incriminating material has been unearthed against him.

4. *Per contra*, the learned Government Advocate (Criminal Side) appearing for the first respondent/Police strongly opposes the petition. He submitted that the accused company was operating completely outside the legal framework without obtaining any valid license. He further informed



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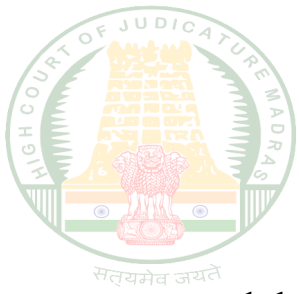
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the Court that the investigation has already revealed a total of 34 victims who were defrauded of a cumulative sum of Rs.64,00,000/- (Rupees Sixty Four Lakhs only). The learned Government Advocate further added that clues have emerged indicating the existence of more victims associated with the company's Coimbatore branch, which is why the investigation is consuming additional time.

5. Heard the rival submissions made on either side and perused the materials available on record.

6. The defence setup by the petitioner that he was merely a manager working on a salary basis without any involvement is purely factual in nature. Once it is admitted that the petitioner was managing the affairs of a company that is systematically alleged to have violated the Emigration Act, 1983, by operating without a statutory license, the registration of the F.I.R cannot be termed unwarranted.

7. The submissions concerning the petitioner's exact role, knowledge, and lack of benefit are defence materials that must be tested



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and brought to light only during the course of investigation. If the investigating agency ultimately files a final report or charge sheet against the petitioner without any supporting material, it will be well within the petitioner's rights to challenge the same at that stage. Therefore, the prayer to quash the F.I.R at this juncture cannot be countenanced.

8. However, this Court is aware that a criminal case cannot be kept pending eternally against an employee. Accordingly, the following directions are issued:

- a. The first respondent/Police is directed to expedite and complete the investigation in Crime No.164 of 2024 and file a final report before the jurisdictional Court, within a period of six (6) months from the date of receipt of a web-copy of this order.
- b. The liberty is granted to the petitioner to challenge or agitate against the final report at the appropriate time, if it is filed adversely against him.



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D.BHARATHA CHAKRAVARTHY, J.

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9. With the above directions, this Criminal Original Petition stands disposed of.

08-07-2026

Neutral Citation: No
Sni

To

1. The Inspector of Police,
CCB Police Station, Chennai.
2. M.Rajkumar, Protector of Emigrants
(Tamil nadu and Puducherry)
Ministry of External Affairs,
Government of India,
No.68, First Floor, DPI Campus,
EVK Sampath Maligai, College Road, Chennai.
3. The Public Prosecutor,
High Court of Madras.

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