

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.23523 of 2015

and

M.P.No.1 of 2015

R.Kumar ... Petitioner

Vs

State represented by

1. The Inspector of Police,
District Crime Branch,
Chennai.

2. A.Seethalakshmi ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.38 of 2014 on the file of the Inspector of Police, District Crime Branch, Tiruvallur and quash the same.

For Petitioner : Mr.P.Vasudevan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor for R1

ORDER

This petition is filed to quash the F.I.R. in Crime No.38 of 2014 on the file of the Inspector of Police, District Crime Branch, Tiruvallur.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent.

3. It is seen that on a complaint lodged by A.Seethalakshmi, the respondent police have registered a case in Crime No.38 of 2014 under Sections 420 IPC against four accused. Challenging which, the 3rd accused is before this Court on the ground that the petitioner/A3 was merely a broker and that he had not received any money in the transaction from the defacto complainant. It is seen that this petitioner/A3 has been granted anticipatory bail and therefore, there is no imminent possibility of he being arrested. Since the FIR

discloses the commission of cognizable offence, it cannot be quashed when the investigation is at a very nascent stage. However, the respondent police is directed to dispassionately conduct the investigation and during the course of investigation, if it is found that this petitioner has acted as merely a broker and had not connived with the other accused, it is needless to say that his name shall be deleted from the final report.

With the above observation, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

vsm

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
District Crime Branch,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.D.Ramesh Rai, Advocate SR 51139

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