

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28133 of 2015

and

M.P.No.1 of 2015

1.A.V.Ravichandiran @ Ayyappan

2.A.V.Ramakrishnan ... Petitioners/A6, 7

Vs

1. The State, Rep. by
The Inspector of Police,
District Crime Branch,
Villupuram,
Villupuram District.1st Respondent/Complainant

2. P.Paramasivam ...2nd Respondent/Defacto
Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records pending on the file of the first
respondent police namely, Inspector of Police, District Crime
Branch, Villupuram, Villupuram District in Crime No.20 of 2014
and to quash the criminal proceeding.

For Petitioners : Mr.E.Kannadasan

For 1st respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the F.I.R. in Crime
No.20 of 2014 on the file of the 1st respondent police.

2. The petitioners are arrayed as A6 and A7 in respect of
the complaint lodged by the second respondent one P.Paramasivam
and the same was registered in Crime No.20 of 2014 for the
alleged offences under sections 420,465,468,109 and 506(ii) IPC.

3. Learned counsel for the petitioner submitted that the allegation in the complaint is with regard to the civil dispute between the petitioners and the defacto complaint. Since the case is civil in nature, the petitioners have sought to quash the F.I.R. in Crime No.20 of 2014.

4. Learned Additional Public Prosecutor opposed to quashing of F.I.R. stating that there are specific allegations of cheating as against these petitioners. He further submitted that now, almost the investigation is completed and the charge sheet is ready and within a short span of time, the respondent police would file the charge sheet before the concerned Court.

5. Considering the facts and circumstances of the case, this Court is of the considered opinion that since the matter is in FIR stage, this petition is premature in nature. Therefore, I am not inclined to entertain this petition. Hence, the criminal original petition stands dismissed. However, the petitioners are at liberty to approach this Court after filing of the charge sheet. Consequently, M.P.1 of 2015 is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsi

To

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

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.63178

CrI.O.P.No.28133 of 2015

SV(CO)

CA(11/12/2015)