

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2015

CORAM:

THE HON'BLE MR.JUSTICE R.S.RAMANATHAN

Cr1.O.P.No.5383 of 2015

R.Thirugnanam

... Petitioner

Vs.

1. State by Inspector of Police,
R-4, Soundarapandianar Angadi
Police Station,
Chennai District
(Cr.No.583 of 2012)

2. P.H.Nawas

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records made in the FIR in ***Cr.No.585 of 2012** on the file of the respondent police, quash the same.

For Petitioner : Mr.S.P.Sudalaiyandi
For Respondents : Mr.M.Maharaja for R1
Additional Public Prosecutor

ORDER

The petitioner is A2 in ***Crime No.585 of 2012** on the file of the first respondent police. The second respondent has given a complaint stating that the petitioner and first accused are running the business under the name and style of 'S.R Enterprises' and they are known to him and on 20.03.2012 at about 2.30 p.m., the first accused got 20,700 American dollars from the second respondent/ defacto complainant and promised to give Passport, Air Ticket, Visa and Rs.10,38,105/- and thereafter he did not return and when the second respondent tried to contact the first accused and the petitioner herein through their cell phone, their cell phone were switched off. On that basis a case was registered.

2.It is submitted by the learned counsel appearing for the petitioner that as per the complaint, no allegation has been made against the petitioner who has been arrayed as A2 and according to the complaint, amount was given only to first accused.

3.Learned Additional Public Prosecutor also submitted that he has gone through the case records and found that the allegations are made only against the first accused.

4.As the petitioner is the second accused and no allegation is made out as against the petitioner, this criminal original petition is allowed and the F.I.R. is quashed as against the petitioner.

Sd/-
Assistant Registrar
17.3.2015

*Corrected as per the Order
dated 9.6.2015 and made in Cr1.O.P.No.5383 of 2015
Sd/-
Assistant Registrar
11.6.2015

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
R-4, Soundarapandianar Angadi
Police Station,
Chennai District.

2. The Public Prosecutor
High Court, Madras.

to be substituted to the Order
already despatched on 21.3.2015
and made herein

+1cc to Mr.S.P.Sudalaiyandi, Advocate, S.R.No.28164

Cr1.O.P.No.5383 of 2015

LRS (CO)
CA(17/03/2015)
pmk.11.6.2015