

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.25715 of 2011

and

MP.No.1 of 2011

U.C.Sundaravadivelu

....Petitioner/Accused

Vs.

State rep. by its
Inspector of Police,
Central Crime Branch
Chennai Sub-urban Police, Chennai. ... Respondent/complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C to quash the FIR No.126 of 2011 filed by the Inspector of Police, Central Crime Branch, Chennai Sub-urban Police in the Court of Judicial Magistrate-I, Poonamallee.

For Petitioner : Mr.P.Anbarasan

For Respondent : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to quash the FIR No.126 of 2011 filed by the Inspector of Police, Central Crime Branch, Chennai Sub-urban Police before the Court of Judicial Magistrate-I, Poonamallee.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. Today, Ms.Vanitha, Sub-Inspector of Police, CCB, EDF III, is present.

4. On the complaint lodged by one C.R.Prabakaran, MRF Employees Co-operative Housing Society, Thiruvottriyur, Chennai, the respondent police registered a case in X.C.C.B. Crime No.126 of 2011 on 05.07.2011 for offences under Sections 419, 420, 468, 471 & 477 IPC against the petitioner herein, challenging which the petitioner is before this Court.

5. It is the case of the de-facto complainant that MRF Employees Co-operative Housing Society, Chennai owns extensive lands measuring about 25.93 acres in Vallivoyal Chavadi Village, which is said to have been sold by the petitioner, who was the Special Officer of the MRF Co-operative Society by fabricating the minutes of the General Body.

6. Learned counsel appearing for the petitioner submitted that the petitioner was permitted to retire from service without any blemish and that the arbitration proceedings are pending with respect to the dispute at hand.

7. Admittedly, the petitioner has been released on anticipatory bail and since, there is no imminent possibility of arrest, this case cannot be quashed at the threshold.

8. Since the matter requires further investigation, in the interest of justice, this petition is closed with a direction to the respondent police to proceed further with the investigation as expeditiously as possible and if it is found that the allegations in the complaint are false, it is needless to state that the prosecution against the petitioner should be dropped.

9. The Assistant Commissioner of Police, CCB (EDF III) is directed to monitor the investigation in XCCB Crime No.126 of 2011.

With the above direction, this petition is closed. Consequently, connected miscellaneous petition is closed.

-sd/-
Assistant Registrar
/ TRUE COPY /
Sub-Assistant Registrar

mk

To

1 The Judicial Magistrate-I,
Poonamallee

2. The Inspector of Police,
Central Crime Branch
Chennai Sub-urban Police, Chennai.

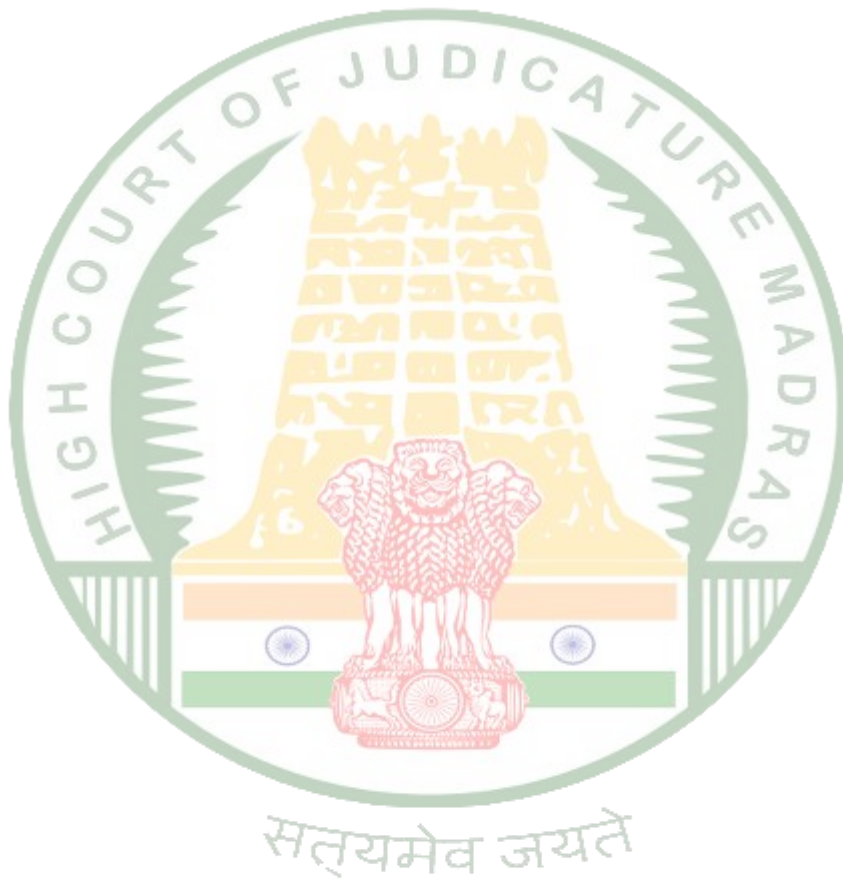
3. The Assistant Commissioner of Police
Central Crime Branch, EDF-III, Chennai.

4. The Public Prosecutor,
High Court, Madras.

+1 cc to M/S.P.ANBARASAN, advocate SR.NO. 68192

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RD 26/12/2016



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