

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.Nos.25381 & 25382 of 2016
&
Crl.M.P.Nos.12316 & 12317 of 2016

Prabhakaran ...Petitioner in Crl.OP.25381 of 2016
S. Sunil ...Petitioner in Crl.OP.25382 of 2016

Vs.

1.State by:
the Inspector of Police
District Crime Branch
Tiruvallur.

2.Mohideen Bhasha ... Respondents in both the Crl.O.Ps.

Criminal Original Petitions filed under Section 482, Cr.P.C. seeking to call for the records in Crime No.26 of 2016 on the file of the Inspector of Police, District Crime Branch, Tiruvallur and quash the same.

For petitioner in : Dr. P. Vasudevan
both the Crl.O.Ps.

For R1 in both the : Mr. C. Emalias
Crl.O.Ps. Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed seeking to call for the records in Crime No.26 of 2016 on the file of the Inspector of Police, District Crime Branch, Tiruvallur and quash the same.

2. On the complaint lodged by one Mohideen Bhasha, the first respondent police registered a case in Crime No.26 of 2016 on 25.08.2016 under Sections 406, 420 and 34 IPC against Pradeep Kumar (A1), Savithri (A2), Gayathri (A3), Prabhakaran (A4), Logeswari (A5), Sunil (A6), Palraj (A7) and certain others, challenging which, Prabhakaran (A4) and Sunil (A6) are before this Court.

3. Heard Dr. Vasudevan, learned counsel for the petitioners, who submitted that the petitioners had nothing to do with the alleged chit transaction and they have been falsely implicated in the case.

4. On a reading of the FIR, it is seen that the de facto complainant has alleged that one Ramamoorthy was running KRM Kumaragam Chits Private Ltd. and Pragalya Chits Private Limited, in which, the de facto complainant had joined chit and that Ramamoorthy died on 21.04.2016. It is further alleged by the de facto complainant that the chit business continued even after the demise of Ramamoorthy and that he had paid all the chit amounts till 25.05.2016 and thereafter, the chit company did not return the money.

5. The learned Additional Public Prosecutor submitted that there are about 300 complaints in this regard and that the total amount involved is about Rs.9 crores.

6. In view of the above, this Court directs the first respondent police to conduct a thorough investigation and if it is found that the petitioners, viz., Prabhakaran (A4) and Sunil (A6) are not, in any way, connected with the business of the chit company, it is needless to state that further action against them should be dropped.

With the above direction, these Criminal Original Petitions are closed. Connected CrI.M.Ps. are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cad
To

1. The Inspector of Police
District Crime Branch
Tiruvallur
2. The Public Prosecutor
Madras High Court
Chennai - 600 104.

+2cc's to Mr.Ramesh Rai, Advocate, S.R.No.67296

CrI.O.P. Nos.25381 & 25382 of 2016

LRS(CO)
CA(22/12/2016)