

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

CrI.O.P.No.381 of 2016

And

CrI.M.P.No.150 of 2016

1.Munnavar Sharif

2.Murali

3.S.Rajendran

4.T.Shaji

... Petitioners/Accused 4 to 7

Vs.

1.The State, rep. by
Sub - Inspector of Police,
District Crime Branch,
Coimbatore District.

...1st Respondent/Complainant

2.L.Prakash

...2nd Respondent/Defacto
Complainant

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records from the file of the respondent in Crime No.32 of 2015 registered against the petitioners/ accused no.4 to 7 herein and quash the same.

For Petitioners: Mr.S.Seenuvasan

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

ORDER

This petition is filed praying to call for the records from the file of the respondent in Crime No.32 of 2015 registered against the petitioners/ accused nos.4 to 7 herein and quash the same.

2.The case in Crime No.32 of 2015 has been registered as against the petitioners who has been arrayed as accused nos.4 to 7 and three others for the alleged offence punishable under Sections 406, 420 r/w 34 of IPC based on a complaint lodged by one Prakash.

3.The main submission of the learned counsel appearing for the petitioners is that the petitioners are the bonafide purchasers and the land owners namely, the accused 1 to 3 only are connected with the offence and these petitioners are in no way connected with the act and they have been falsely implicated in this case and prayed for appropriate orders.

4.Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the investigation is under progress.

5.Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor.

6.The petitioners have approached this Court for quashing of FIR when the investigation is under progress. Hence, in the considered opinion of this Court, the scope for quashing the FIR is very narrow and the present petition is pre-mature in nature. At this juncture, this Court is not inclined to entertain this petition and hence, this Criminal Original Petition is dismissed. However, the petitioners are at liberty to approach this Court after filing of the final report. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Sub - Inspector of Police,
District Crime Branch,
Coimbatore District.

2.The Public Prosecutor
High Court, Madras.

KK(CO)
EU(27/01/2016)

Cr1.O.P.No.381 of 2016
And
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