

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.11.2018

CORAM
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
Crl.O.P.No.25171 of 2015

Suresh

... Petitioner/Accused

Vs.

1.State by
Inspector of Police,
Crime Branch,
J-3, Guindy Police Station,
Chennai.

2.Asst. General Manager,
Indian Bank,
Guindy Branch,
131, G.S.T.Road,
Chennai -32.

... Respondents/Complainants

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in Cr.No.1914 of 2005 on the file of the first respondent, quash all proceedings in the said case.

For Petitioner : M/s.Revathi G.Mohan

For R1 : Mr.T.Shunmugarajeswaran,
Government Advocate (Crl.side)

O R D E R

This petition has been filed to quash the FIR against him in Crime No.1914 of 2005 on the file of the first respondent.

2. The learned counsel for the petitioner has submitted that based on the complaint given by the second respondent, the first respondent has registered an FIR on 18.09.2005 against the petitioner herein in Crime No.1914 of 2005 under Sections 463, 471, 419, 420 IPC. She further submitted that after registering the FIR, the first respondent has arrested the petitioner herein and remanded to judicial custody and the alleged amount of misappropriation also recovered from the petitioner. She further submitted that the petitioner was working as a record clerk in the LIC and because of this case, he has been suspended from his service. She further submitted that for the past 13 years, the first respondent has not filed final report and hence, the petitioner is starving for the past 13 years without any

employment and hence, she requests to quash the FIR against the petitioner.

3. Per contra, the learned Government Advocate (Crl.side) for the first respondent has submitted that several witnesses have to be examined and hence, so far, final report has not been filed. He further submitted that some reasonable time may be granted for filing final report.

4. Merely because the FIR is pending from the year 2005, the FIR cannot be quashed. Taking into consideration the case is pending from the year 2005 and also the fact that the petitioner is under suspension for the past 13 years, the first respondent is directed to expedite the investigation and file a final report within two months from the date of receipt of a copy of this order.

5. With the aforesaid directions, this Criminal Original Petition is disposed of .

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsa

To

1. The Inspector of Police,
Crime Branch,
J-3, Guindy Police Station,
Chennai.

2. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to M/s.Revathi.G.Mohan, Advocate, S.R.No.75571

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RGN(CO)

rrs 13/12/2018

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