

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.21726 of 2018
and CRL M.P.No.11884 of 2018

1. K.Sekar
2. N.Raja
3. V.Vedagiri .. Petitioners/Accused 1 to 3

Vs

1. State represented by
Inspector of Police,
Commercial Crime Investigation Wing
Chennai - 600 052.
2. Mr.K.Selvaraj
Deputy Registrar,
Civil Supplies & Consumer
Protection Department,
Triplicane -2.
Chennai - 600 005. ... Respondents/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the First Information Report registered in Cr.No.117/2002, by the respondent Police in so far as it relates to the petitioner.

For Petitioners : Mr.J.Muthukumaran

For Respondents : Mr.C.Raghavan, (For R1)
Government Advocate

ORDER

The petitioners were working in Fair Price Shop No.II Chinmaya Nagar from March 2001 to June 2001; during inspection, it was found that there was shortfall in various items in Fair Price Shop amounting to Rs.1,96,951/-; therefore, on the complaint lodged by the Deputy Registrar, Co-Operative Societies, the respondent police registered a case in Crime No.117 of 2002 under Section 6 (2)&(3) of TNSC (RDSC) Order 1982, read with Section 7(i) a (ii) of Essential Commodities Act 1955.

2.From 2000 to 2018, the police had not conducted any investigation, but, however, in the departmental proceedings,

the accused came forward to make good the loss by remitting the short fall amount along with fine. Accordingly, A1 paid Rs.84,000/-; A2 paid Rs.98,002.50/- and A3 paid Rs.71,000/-. Since 2002, the First Information Report is pending without any progress and therefore, the petitioners are before this court for quashing the First Information Report.

3.The learned Government Advocate (Crl. Side) appearing for the 1st respondent fairly submitted that the prosecution has not been able to collect the papers from the Co-operative Department since many of the papers are not available.

4.In such view of the matter, this petition is allowed and the First Information Report is quashed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kkn/gsa
To

1. The Inspector of Police,
State of Tamilnadu,
Commercial Crime Investigation Wing,
Chennai - 600 052.
2. Mr.K.Selvaraj
Deputy Registrar,
Civil Supplies & Consumer
Protection Department,
Triplicane -2.
Chennai - 600 005.

+3cc to Mr.J.Muthukumaran, Advocate SR.NO.68326

KK(CO)
sm:17.10.2018

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