

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2018

CORAM

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

Crl.O.P. No.15346 of 2018

and

Crl.MP.No.7794 of 2018

T.Pramila @ Reeta Mary ... Petitioner/Accused A1

vs.

1. State Rep. by its
The Inspector of Police
Reddiarpalayam Police Station
Puducherry.

2. A.Santhanalakshmi ... Respondents/Complainant &
Defacto Complainant

Criminal Original Petition filed under Section 482, Cr.P.C. to call for the records relating to the case in Crime No.42 of 2018 on the file of the 1st respondent and quash the same as against the petitioner/A1, by allowing this criminal original petition.

For petitioner : M/s.Dass and Viswa Associates
For Respondents: Mr.Bharath Chakravarthy
Public Prosecutor (P) for R1

O R D E R

This Criminal Original Petition has been filed to call for the records in Crime No.42 of 2018 on the file of the 1st respondent and quash the same as against the petitioner/A1, by allowing this criminal original petition.

2. On the complaint lodged by Santhanalakshmi, the first respondent police registered a case in Crime No.42 of 2018 on 16.04.2018 for the offences under Sections 427, 448 and 379 r/w 34 IPC against Pramila (A1), Vinoth (A2) and Kandhan (A3), for quashing which, Pramila (A1) filed this petition.

3. On a reading of the FIR, it is alleged by the second respondent that Vinoth (A2) was running a restaurant in the name of "Dosai Kadai" at No.32, Villianur Main Road, Arumbarthapuram; that the de facto complainant was given licence to run the

restaurant along with Vinoth (A2); that the de facto complainant had fixed her daughter's marriage, for which, she had closed the restaurant on 10.03.2018; that on 20.03.2018, Pramila (A1), Vinoth (A2) and Kandhan (A3) had trespassed into the restaurant and had taken away Rs.1 Lakh which was kept in the cash box of the restaurant. Hence, the FIR.

4. The learned Public Prosecutor (P) submitted that the investigation conducted revealed that the water motor switch is located inside the restaurant and the de facto complainant had closed the restaurant and gone away. Since there was no water for the tenants in the building, the accused had no other option, but to open the restaurant and switch on the water motor. He also fairly submitted that the allegation relating to missing of Rs.1 Lakhs is contrived one.

5. In such view of the matter, this petition is closed, with a direction to the Superintendent of police, Villinaur, Puducherry (West) to monitor the investigation in Crime No.42 of 2018 and the Investigating Officer is also directed to complete the investigation within a period of three months from the date of receipt of a copy of this order and file necessary closure report under due intimation to the de facto complainant. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police
Reddiarpalayam Police Station
Puducherry.
- 2.The Superintendent of Police,
Villinaur, Puducherry (west) Puducherry.
- 3.The Public Prosecutor
Puducherry.

+1cc to M/S.Dass & Viswa Associates, Advocate Sr.38436

Cr1.O.P. No.15346 of 2018

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srg 26/06/2018