



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)Nos 15090 and 15091 of 2018
and
Crl.M.P(MD) Nos. 6682 and 6683 of 2018

1. Suriya

2. V.Raja

... Petitioners in both Crl.O.P's

Vs.

1. The State represented by
The Sub Inspector of Police
Thirumangalam Town Police Station
Thirumangalam
Madurai District

...1st respondent in both Crl.O.P's

2. A.Vijayalakshmi

..2nd respondent in
Crl.O.P(MD) No. 15090 of 2018

3. J.Sumathi

..2nd respondent in
Crl.O.P(MD) No. 15091 of 2018

Prayer in Crl.O.P (MD) No.15090 of 2018: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the Crime No.535 of 2015 dated 08.11.2015, pending on the file of the first respondent police and quash the same in so far as these petitioners/A4 and A5 are concerned

Prayer in Crl.O.P (MD) No.15091 of 2018: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the Crime No.534 of 2015 dated 08.11.2015, pending on the file of the first respondent police and quash the same in so far as these petitioners/A4 and A5 are concerned.

For Petitioner : Mr.G.Thiagarajan (in Both Crl.O.Ps)

For Respondent : Mrs.S.Bharathi
No.1 Government Advocate (Crl.Side)



ORDER

These Criminal Original Petitions have been filed to quash the First Information Report in Crime Nos. 534 of 2015 and 535 of 2015.

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2. The petitioners are arrayed as A4 and A5 in the First Information Report and the complaint is given to the effect that the amount have been received by all the accused persons towards chit amount and the same has not been re-paid.

3. The learned counsel for the petitioners would submit that A4 and A5 have nothing to do with the offence and they got married in the year 2004 itself and they are residing at Madurai.

4. The learned Government Advocate (Crl.side) would submit that the investigation is at the very crucial stage and there are more than 20 complaints that has been received by the respondent police. She would further submit that based on the confession given by the first petitioner, investigation is going on and the police are trying to recover the money based on the confession.

5. This Court is not inclined to quash the First Information Report at this stage and this Court is of the considered view that the respondent police must be permitted to investigate the case and find out the real truth. This is not the fit case for quashing the First Information Report and whatever ground raised by the petitioner can be raised before the respondent police or before the Court at the appropriate stage.

6. Accordingly, the Criminal Original Petitions are dismissed. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS IV)

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To

1. The Sub Inspector of Police

Thirumangalam Town Police Station

Thirumangalam Madurai District

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

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