



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.17228 of 2018

and

Crl.M.P. (MD) No.7606 of 2018

- 1.Sutharsana Devi
- 2.M.B.Radhakrishnan
- 3.A.V.Ramakrishna Raja
- 4.Brinthakrishnan
- 5.V.R.Gopalaraja
- 6.T.R.Ramasubramanian
- 7.L.M.Ramasubramanian
- 8.Saravanan
- 9.Muthu
- 10.Vasudevaraja
- 11.Dharmar

: Petitioners/Accused No.2 to 12

Vs.

- 1.The Inspector of Police,
District Crime Branch,
Virudhunagar District.
In Crime No.3 of 2018

: 1st Respondent/Complainant

- 2.Dhanalakshmi

: 2nd Respondent/Defacto Complainant

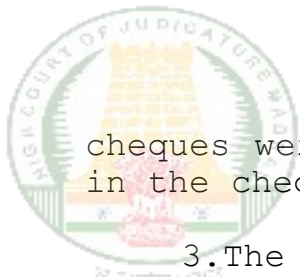
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records relating to the impugned FIR in Crime No.3 of 2018 on the file of the first respondent and quash the same as against these petitioners.

For Petitioner : Mr.A.Mohan
For Respondents : Ms.S.Bharathi
Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to quash the F.I.R., in Crime No.3 of 2018.

2.The learned counsel for the petitioners would submit that the petitioners have filed a complaint against the defacto complainant for the offence punishable under Section 138 of Negotiable Instruments Act. As a counter blast, the defacto complainant has given a false complaint before the respondent police as if her



cheques were stolen by the petitioners and her signature was forged in the cheque.

3. The learned Government Advocate (Criminal Side) would submit that the complaint has been taken as a defence by the defacto complainant in the proceedings under Section 138 of Negotiable Instruments Act. The defacto complainant has also chosen to give a complaint and as a result of the same, F.I.R., in Crime No.3 of 2018 is now pending on the file of the first respondent.

4. In the facts and circumstances of the case, this Court deems it fit to direct the first respondent to complete the investigation within a period two months from the date of receipt of a copy of this order and file a final report. All points raised by the petitioners in this petition can be raised before the court below in the pending proceedings under Section 138 of Negotiable Instruments Act.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (J)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Inspector of Police,
District Crime Branch,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.A.MOHAN, Advocate SR. NO.87485

Cr1.O.P. (MD) No.17228 of 2018
27.09.2018

DAS

TR/RP/SAR-IV(15.10.2018) 2P 4C