

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2646 of 2019
and Crl.M.P.No.1716 of 2019

1. E.Vasudevan
2. V.Elumalai

... Petitioners

Vs.

1. State rep. by
The Inspector of Police,
El, Mylapore Police Station,
Chennai - 600 004.
(Crime No.468 of 2018)
2. The Assistant Commissioner of Police
Mylapore Police Station, Mylapore,
Chennai - 600 004.
3. Vaidegi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for records and quash the Crime No.468 of 2018 dated 21.07.2018 on the file of the first respondent insofar as the petitioners are concerned.

For Petitioners : Mr.S.Ezhilraj

For Respondents : Mr. M.Mohamed Riyaz
R & R2 Additional Public Prosecutor

ORDER

This petition has been filed to call for records and quash the Crime No.468 of 2018 dated 21.07.2018 on the file of the first respondent insofar as the petitioners are concerned.

2. The learned counsel for the petitioners would submit that the third respondent only borrowed Rs.16,00,000/- from the first petitioner and thereafter defaulted repayment, and also her cheques were bounced. Hence, a case was registered against her and warrant was also issued against her, which was sent to the first respondent Police. But, thereafter the third respondent being an under Secretary to Government influenced the respondent Police and gave this false complaint against the petitioners. Hence, this petition has been filed.

3. The learned Additional Public Prosecutor would submit that the third respondent received some money from the first petitioner, and thereafter repaid the same with interest, however the first petitioner continued to demand money from the third petitioner. He further submits that the investigation is under process and they will complete the investigation within a period of three months as such he sought for dismissal of this petition.

4. It is seen that FIR has been registered as against the petitioners under Section 506(i) I.P.C. r/w Section 4 of the Tamil Nadu Exorbitant Interest Act 2003. The learned Additional Public Prosecutor submitted that the investigation is under process. Considering the same, this Court is not inclined to quash the FIR. However, the first respondent is directed to complete the investigation in Cr.No.468 of 2018 within a period of three months from the date of receipt of a copy of this Order and file final report.

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

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

lok/ksa-2

To

1. The Inspector of Police,
E1, Mylapore Police Station,
Chennai - 600 004.
(Crime No.468 of 2018)
2. The Assistant Commissioner of Police
Mylapore Police Station, Mylapore,
Chennai - 600 004.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.2646 of 2019

PPA (CO)
GMY (27/02/2019)