

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.03.2019

CORAM:
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.8131 of 2019
and
Crl.M.P.No.4391 of 2019

Ravikumar

... Petitioner/2nd Accused

Vs.

The State Represented by
Inspector of Police,
Special Investigation Cell,
Coimbatore City.
(Cr.No.45 of 2002)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to Cr.No.45 of 2002 pending on the file of the Inspector of Police, Special Investigation Cell, Coimbatore City and quash the proceedings therein.

For Petitioner : Mr.A.Saravanan

For Respondent 1: Mr.C.Raghavan,
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to quash the FIR registered in Cr.No.45 of 2002 on the file of the respondent.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the third respondent police registered a case in Crime No.4 of 2018 for the offences under sections 3, 4 & 6 of the Prize Chits and Money Circulation Schemes (Banning) Act 1978 and Section 420 r/w 511 of IPC, as against the petitioner. Hence he prayed to quash the same.

3. The learned Government Advocate (Crl. Side) would submit that the investigation is almost completed and the respondent police have only to file final report.

4. Heard Mr.Mr.A.Saravanan, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing for the first respondent.

5. The crux of the allegation is that the petitioner was running a company in the name and style of M/s.Gem Infotech at R.S.Puram, Coimbatore has claimed census conversion and since the census data is highly confidential, no private parties have been engaged for doing any sort of job. On perusal of information bulletin issued by the Gem infotech, it is seen that different (rates) payment for the same service provided by different franchisees, so as to make quick money.

6. The complaint has been registered in the year 2002. Thereafter, no investigation has been done by the respondent and it is simply pending on the file of the respondent. In view of the above, the FIR cannot be sustainable on the ground of latches. Further, to meet the ends of justice, this Court is inclined to quash the FIR.

7. Accordingly, this court is inclined to quash the entire FIR in Cr.No.45 of 2002 on the file of the respondent, only on the ground of latches and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Special Investigation Cell,
Coimbatore City.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.Saravanan, Advocate, S.R.No.29491

CRL.O.P.No.8131 of 2019

SJ(CO)

RRS (12/04/2019)

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