

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.1838 of 2014

Janardhanan

... Petitioner/accused 6

Vs.

1. State represented by
The Inspector of Police,
Central Crime Branch, Salem,
Salem District. ...Respondent/Complainant

2. A.Sathyanarayanan
....Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records and quash the FIR in Crime
No.18 of 2013 on the file of the respondent police station.

For Petitioner : Mr.A.M.Rahamath Ali

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for
the records and quash the FIR in Crime No.18 of 2013 on the file
of the respondent police.

2. The learned counsel for the petitioner would submit that
the petitioner is a friend of A1. The 1st accused and his father
A2 and his wife A3 took loan of Rs.40,00,000/- from the 2nd
respondent on 11.09.2009 and promised to repay the loan within
three months with interest. Towards repayment of the loan and
interest the said three accused issued certain cheques, but the
certain cheques were dishonored and three accused had locked
their house and shop and remained incommunicado. The 2nd
respondent came to know that the petitioner, A4 & A5 helped A1
to A3 by vacating the house and shop. Thereafter, the 2nd
respondent lodged a complaint before the respondent police. The

respondent police has registered the FIR in Crime No.18 of 2013 for offences under Sections 120-B and 420 IPC, arraying the petitioner also as an accused namely A-6. He further submits that the loan transaction was between the 2nd respondent and A1 to A3 only and the petitioner had nothing to do with the transaction.

3. Considering the facts and circumstances of the case, this Court is not inclined to quash the FIR. However, the petitioner is directed to produce the connected records to the 1st respondent. On receipt of the same, the 1st respondent is directed to conduct enquiry on the records filed by the petitioner and file a final report within a period of eight weeks from the date of receipt of a copy of this order.

4. Accordingly, this Criminal Original Petition is dismissed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr

To

1. The Inspector of Police,
Central Crime Branch, Salem,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

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NA (CO)
SP (14/05/2019)

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