

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.22809 of 2017
and
M.P.No.13301 of 2017

K.Prasanth

... Petitioner

Vs.

1. The State rep. by its
Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai - 600 095.
(FIR Cr.No.984 of 2017
dt. 03.06.2017)

2. T.Selvaraj

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to grant stay all further investigation pursuant to FIR Cr.No.984 dated 03.06.2017 on the file of the first respondent police, pending disposal of the above Crl.O.P. and call for the records culminated in FIR Cr.No.984 dated 03.06.2017, on the file of the first respondent police and quash the same.

For Petitioner : Mr.R.Prabhakaran

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.B.Karthikeyan

O R D E R

The prayer sought for in the present Criminal Original Petition is to call for the records culminated in FIR Cr.No.984 dated 03.06.2017, on the file of the first respondent police and quash the same.

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 first respondent police registered a case in Crime

No.984 of 2017 for the offences under Sections 406, 420 of IPC, as against the petitioner. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that the investigation is almost completed and the respondent police have only to file final report.

4. Heard Mr.R.Prabhakaran, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent and Mr.B.Karthikeyan, learned counsel for the second respondent.

5. It is seen from the First Information Report that there is a specific allegation as against the petitioner that the petitioner has received an amount of Rs.10,00,000/- from the second respondent for the purpose of purchasing car. The petitioner neither returned the amount nor purchased the car. Therefore, it cannot be said that it is the business transaction.

6. In view of the above discussion, this Court is not inclined to quash the FIR. However, considering the crime is of the year 2017, the respondent police is directed to complete the investigation in Crime No.984 of 2017 and file a final report within a period of three months from the date of receipt of copy of this Order, before the jurisdiction Magistrate, if not already filed.

7. With the above directions, this Criminal Original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai - 600 095.

2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.22809 of 2017
and
M.P.No.13301 of 2017

rr[co]
srg 9/5/2019