



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.1503 of 2019

and

Cr1.M.P.(MD)No.742 of 2019

B.K.S.Abdul Basith @ Dharka Settu : Petitioner

Vs.

1.The State,
Rep. By Inspector of Police,
Fort Police Station,
Trichy City.
(Crime No.976 of 2018)

2.Mohammed Thavar Ali : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in FRI in Cr.No.976 of 2018 pending on the file of the first respondent police as against the petitioner and to quash the same.

For Petitioner : Mr.M.Pandian
For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.Side)

O R D E R

The present petition is filed to quash the FIR in Crime No.976 of 2018 registered under Sections 420, 506(1) IPC.

2. Head the learned counsel for the petitioner and the learned Government Advocate (Cr1.Side) for the respondent police.

3. The allegation made in the FIR discloses that on a promise made by the petitioner to secure a seat in the Law College, the defacto complainant has paid Rs.3,00,000/- to the petitioner. However, the promise was not kept and when the defacto complainant demanded return of the amount, he was given a cheque of Rs.3,00,000/- by the petitioner, which came to be dishonored.

4. The learned Government Advocate (Cr1.Side) submitted that the investigation in this case is underway.

5. On reading of the FIR, *prima facie* this Court finds that an offence under Section 420 IPC has been made coupled with the subsequent overt act constituting the offence under Section 506(i).



Therefore, this Court finds that there are materials which are worthy of investigation by the Investigating Agency.

4. Considering the facts and circumstances of the case, this Court finds no merit in the present petition and does not want to interfere with the ongoing investigation at this stage. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. Inspector of Police,
Fort Police Station,
Trichy City.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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TR (03.04.2019) 2P 3C