



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD)No.1178 of 2017

1.Ayyavu Thevar @ Kumar Thevar

2.Pethu @ Pethu Muniyandi

3.Jothy

4.Pothumani @ Pothungani

5.Irulandi

....Petitioners/A1 to A5

6.Pandi

7.Rani @ Indhu Rani

... Petitioners/A8 and A9

Vs.

1.The State

Rep. by Inspector of Police,

Saptur Police Station,

Madurai District.

(Cr.No.09 of 2017)

...Respondent/Complainant

2.Malik

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the case in Crime No.09 of 2017 pending investigation on the file of the first respondent and quash the same.

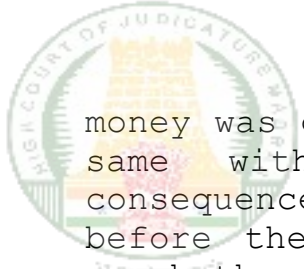
For Petitioners : Mr.M.Solaisamy

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to quash the FIR in Crime No.09 of 2017 pending on the file of the first respondent.

2. The petitioners herein are arrayed as Accused Nos.A1 to A5, A8 and A9 in Crime No.09 of 2017 registered based on the complaint given by the second respondent herein, for the offences punishable under Sections 406, 420 and 506(1) IPC. The allegation against the petitioners is that the petitioners induced the second respondent to purchase gold jewels in a concessional rate and took him to the house of first petitioner herein. On receiving a sum of Rs.6,50,000/- from the second respondent, neither jewels nor



money was given to him. When the second respondent questioned the same with the petitioner, he was threatened with dire consequences. Hence, the second respondent lodged a complaint before the respondent police against the petitioners herein. To quash the same, the petitioners has filed the present petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent and considered the materials placed on record.

4. A perusal of the FIR would clearly disclose a cognizable offence against the petitioners and the respondent police has rightly registered the FIR. That apart, the learned Government Advocate (Crl.Side), appearing for the first respondent, on instructions, would submit that the petitioners are habitual offenders and many other cases similar in nature are pending against the petitioners. He would further submit that in the present case, investigation is in progress and within a period of two months the final report will be filed.

5. Considering the above circumstances, I find no reason to quash the FIR. Further, there is no merit in the present petition and the same is liable to be dismissed. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Inspector of Police,
Saptur Police Station,
Madurai District.

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

TA

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