



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Crl.O.P (MD).No.18116 of 2015

and

M.P. (MD) No.1 of 2015

1.L.Nirmala

2.Lakshminarayanan

3.L.Sri Ragavi

... Petitioners/A1 to A3

Vs

1.State Rep. by

Inspector of Police,
B-1, Melur Police Station,
Madurai District.
Crime No.89 of 2015.

... Respondent/Complainant

2.M.Saravanan

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records relating to the FIR in Crime No.89 of 2015, dated 31.01.2015, on the file of the Inspector of Police, B-1, Melur Police Station, Madurai District and quash the same as against the petitioners 1 to 3.

For Petitioners : Mr.M.S.Sureshkumar

For R1 : Mr.A.Robinson
Government Advocate (Crl. side)

For R2 : Mr.T.Vadivelan

ORDER

The petitioners stand accused in Crime No.89 of 2015, on the file of the B-1, Melur Police Station. The second respondent herein is the de-facto complainant.

2.The petitioners' counsel commenced his submission by saying that the second respondent has come out with some fanciful version and the petitioners did not have any dealing with the second respondent. He would further claim that the earlier complaint given by the second respondent was closed and that he was admonished by the police.



3.The learned Government Advocate (Crl. side) submitted that the investigation in this case, clearly reveals that there was dealing between the first petitioner, namely, L.Nirmala and the second respondent herein. It is evidenced by the remittance of funds by the second respondent in the bank account of the first petitioner. But then, there are no materials for implicating the petitioners 2 and 3.

4.In this view of the matter, the impugned FIR stands quashed as far as the petitioners 2 and 3 are concerned. The first respondent will file a final report only against the first petitioner/L.Nirmala. This Criminal Original Petition is partly allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

sjj

To

1.The Inspector of Police,
B-1, Melur Police Station,
Madurai District.

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

+1 CC to M/s.T. VADIVELAN, Advocate (SR-102039[F] dated 28/11/2019)

+1 CC to M/s.M.S. SURESH KUMAR, Advocate (SR-102272[F] dated 28/11/2019)

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JMN(18.12.2019) 2P : 5C