



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.8138 of 2015
and
M.P. (MD) No.1 of 2015

J.John Premkumar

... Petitioner / 5th Accused

Vs

1.The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
(Crime No.86/14).

... 1st Respondent / Complainant

2.P.Ganesan

...2nd Respondent / Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records pertaining to Crime No.86 of 2014 on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.P.Narayanakumar

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

For R2 : Mr.B.Brijesh Kishore

ORDER

The petitioner is figuring as fifth accused in Crime No.86 of 2014 registered on the file of the District Crime Branch, Nagercoil.

2.The case was registered for the offences under Sections 120 (b), 467, 468, 471, 420 and 506(i) of IPC at the instance of the second respondent herein.

3.The case of the second respondent is that the accused without having a proper title managed to believe him that they are having title. The second respondent claims that he invested a sum of Rs.50,00,000/- in the project.



4.I am of the view that the issues raised in this case are matters for investigation and that, the contentions urged by the petitioner's counsel are not sufficient to invoke the inherent power of this Court to quash the impugned FIR. Therefore, this criminal original petition deserves to be dismissed.

5.The petitioner's counsel states that the petitioner will make available all the relevant documents before the first respondent and the first respondent is obliged to consider the same before filing the final report. It goes without saying that the first respondent will consider the entire material made available by the parties concerned before finalising the matter.

6.With these observations, this criminal original petition stands dismissed. It is made clear that I have not gone into the merits of the matter. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.

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

+1 CC to M/s.B.BRIJESH KISHORE, Advocate (SR-103249[F]

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-103539[F]

Cr1.O.P(MD)No.8138 of 2015
and
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