

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.O.P.No.34565 of 2019

N. Radha

...Petitioner/Accused

-Vs-

1. The Inspector of Police,  
Team - XII,  
Central Crime Branch,  
Office of the Commissioner of Police,  
Egmore,  
Chennai - 600 008. ...1<sup>st</sup> Respondent/Complainant
2. The Chief Manager,  
State Bank of India,  
Saidapet Branch,  
Nandanam,  
Chennai - 600 035. ...2<sup>nd</sup> Respondent

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the F.I.R registered in Crime No.163 of 2008 on the file of the CCB, Team XI team.

For Petitioner : Mr.D.Ananda Ganesh

For R1

: Mr.Mohamed Riyaz

Additional Public Prosecutor

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ORDER

This Criminal Original Petition has been filed by the accused to quash the F.I.R. in Crime No.163 of 2008 on the file of the first respondent under sections 419, 420, 465, 467, 468 and 471 of I.P.C.

2. The learned counsel for the petitioner has submitted that the petitioner has already filed CrI.O.P.Nos. 1599 and 1600 of 2013 to quash the F.I.R and the same was dismissed by this Court and aggrieved by the same, the petitioner herein, has filed S.L.P.No.20147 of 2016 before the Hon'ble Supreme

Court. He further submitted that the Hon'ble Supreme Court by an order dated 21.04.2017 has dismissed the said petition on the ground that the charge sheet was already filed. He further submitted that the XI Metropolitan Magistrate, Saidapet has directed the police for further investigation. But, as on date, no charge sheet is pending before the Magistrate and therefore he prayed to quash the F.I.R.

3. The learned Additional Public Prosecutor has submitted that after investigation, the first respondent has filed the charge sheet on 28.02.2017 before the XI Metropolitan Magistrate Court, Saidapet under sections 420, 405, 467, 408 and 471 of I.P.C. He further submitted that after investigation, the learned XI Metropolitan Magistrate by an order dated 06.03.2017 has directed the first respondent to conduct further investigation as the provisions of Prevention of Corruption Act also will attract. In pursuance of the said order, the first respondent has taken the matter for further investigation and since sanction is required for prosecuting the accused under the provisions of Prevention of Corruption of Act, the first respondent has taken steps for getting sanction from the concerned authorities and after getting proper sanction, final report will be filed and therefore, he prayed to dismiss the petition.

4. Considering the aforesaid facts, since already this Court has dismissed the quash petition filed by the petitioner and SLP filed by the respondent before the Hon'ble Supreme Court was also dismissed, this Court is of the view that this petition is not maintainable.

5. In the result, this Criminal Original Petition is dismissed. However, considering the fact that the aforesaid F.I.R is pending for the past twelve years, the first respondent is directed to expedite the further investigation and file final report within three months from the date of receipt of copy of this order.

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Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Inspector of Police,

Team - XII,

Central Crime Branch,

Office of the Commissioner of Police,

Egmore, Chennai - 600 008.

2. The Chief Manager,  
State Bank of India,  
Saidapet Branch,  
Nandanam,  
Chennai - 600 035.

3. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.D.Ananda Ganesh , Advocate SR.No. 2290

Crl.O.P.No.34565 of 2019

A.SK(17/02/2020)



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