



WEB COPY

Cr1.OP.(MD)No.5911 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2020

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cr1.OP.(MD)No.5911 of 2020

and

Cr1.MP.(MD)No.3198 of 2020

1.R.Naga Vignesh

2.Arun Kumar

3.Pushpalatha

4.Padma

... Petitioners

Vs.

1.State rep by
The Inspector of Police,
District Crime Branch,
Dindigul.
Crime No.1 of 2020

2.R.Muthu Ganesh

... Respondents

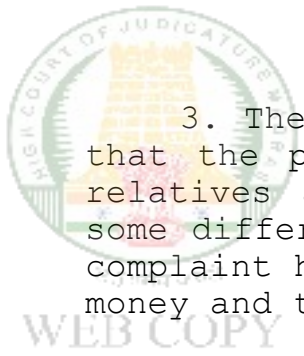
Prayer: Petition filed under Article 482 of the Constitution of India to call for the records of the First Information Report in Crime No.1 of 2020, dated 26.01.2020, on the file of the first respondent and quash the same.

For Petitioners	:	Mr.J.Velpradeep
For R.1	:	Mr.K.K.Ramakrishnan, Additional Public Prosecutor

O R D E R

The petitioners have filed this petition to quash the proceedings pending against them in Crime No.1 of 2020 on the file of the District Crime Branch, Dindigul. The case in Crime No.1 of 2020 was registered at the instance of the second respondent / complainant, for the offence under Sections 120(b), 406, 420, 506(i) IPC.

2. The learned Counsel for the petitioners would submit that the defacto complainant has lodged the complaint that the petitioners have transferred a sum of Rs.12,22,325/- from his bank account, without his concurrence. But, the defacto complainant himself has admitted that he voluntarily changed the phone number registered with his banker into that of the second petitioner.



3. The learned Counsel for the petitioners would further submit that the petitioners 1 & 2 and the defacto complainant are close relatives and they have started an online tuition centre. Due to some difference of opinion, they parted their ways and now, a false complaint has been foisted against them as if they have swindled the money and therefore, he prays for allowing this petition.

4. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor takes notice for the first respondent and on instructions, would submit that the case in Crime No.1 of 2020 was registered only on 26.01.2020. He would further submit that the entire case is based on records, ie., money transaction between the parties through the Bank and due to the present Covid-19 pandemic, they have not yet completed the investigation.

5. Heard the learned Counsel for the petitioners and the learned Additional Public Prosecutor for the first respondent / State. Notice to the second respondent is dispensed with.

6. Considering the facts and circumstances of the case and the present state of affairs, this criminal original petition is disposed of, with a direction to the first respondent Police to conduct the investigation in a fair and transparent manner, by considering the grounds that were raised by the petitioners in this petition. The petitioners shall also submit the supporting materials, if any, before the first respondent Police. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gk

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To
The Inspector of Police,
District Crime Branch,
Dindigul.

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