

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P No.6987 of 2021
and Crl.M.P.No.4642 of 2021

1.M.Bharath
2.Ms.M.Kirubagiri ... Petitioners

vs.

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
District Crime Branch,
Krishnagiri.
2. Selvarani ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pending in Crime No.9 of 2018 dated 24.03.2018 on the file of the first respondent and to quash the same as against the petitioners herein.

For Petitioners : M/s.M.Revathi Manivannan
For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

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सत्यमेव जयते
O R D E R

The Criminal Original Petition has been filed to call for the records pending in Crime No.9 of 2018 dated 24.03.2018 on the file of the first respondent and to quash the same as against the petitioners herein.

2.The petitioners are A3 and A4 in Crime No.9 of 2018. A1 is the mother of the petitioners and other accused are family members.

3.The contention of the learned counsel appearing for the petitioners is that the petitioners are belonging to one family. During the period between 07.09.2015 to 30.11.2017 as alleged in

the complaint dated 08.03.2018, the specific contention of the petitioners is that the first petitioner born during the year 1997 and the second petitioner born during the year 1999. The first petitioner during the relevant point of time studied Bachelor of Science in Forestry at Tamil Nadu Agricultural University, Coimbatore. Similarly, the second petitioner studied B.Com., L.L.B., (Hons.) at Tamil Nadu Dr. Ambedkar Law University, Taramani. Both of them were staying in their respective hostels for their studies. A1 is the mother of the petitioners and she is involved in finance business for several years. The petitioners were not involved in the said business and has no knowledge about the business transaction of their mother.

4.The learned Additional Public Prosecutor appearing for the first respondent would submit that in this case huge amount of Rs.2,00,00,000/- (Rupees two crore only) have been cheated in the name of collecting chits and deposits. A1 along with others have committed the offence. With regard to A2, who had filed the quash petition in Crl.O.P.No.6891 of 2021 and this Court by order dated 09.04.2021 has directed the Investigating Officer to complete the investigation, within a period of two months. Since lot of public have been cheated with the same pattern and so, the case was transferred to the file of Economic offence Wing, Salem.

5.The learned Additional Public Prosecutor further submitted that during the investigation and in the investigation report, the role of the petitioners are not found and thereafter, appropriate steps would be taken. Considering the submissions and upon perusal of the materials, it is found that during the relevant point of time, the petitioners are minors and they have studied in the hostels and pursuing the education as alleged in the FIR. The petitioners are directed to produce all those materials before the respondent police. The respondent police is directed to consider the same. If the respondent police does not find any material as against the petitioners on completion of investigation, the respondent police is directed to conclude the investigation accordingly.

6.With the above observation, this Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AH

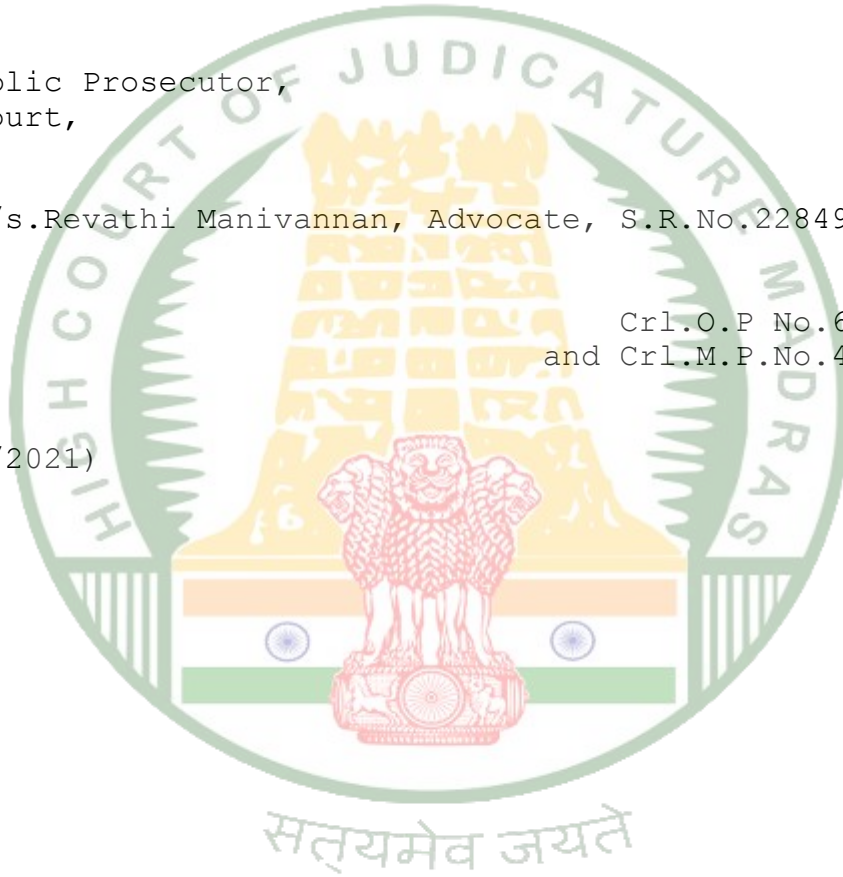
To

1. The Inspector of Police,
District Crime Branch,
Krishnagiri.
2. The Superintendent of Police,
Economic Offence Wing,
Salem.
3. The Public Prosecutor,
High Court,
Madras.

+1cc to M/s.Revathi Manivannan, Advocate, S.R.No.22849

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PMK (CO)
TE (30/04/2021)



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