



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

CRL.O.P.No.12340 of 2021  
and  
Crl.M.P.No.6904 of 2021

Balaraman

... Petitioner

Versus

1.The State,  
Rep by the Inspector of Police,  
District Crime Branch,  
Tiruppur District.

2.Ashokan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pursuant to the Crime No.3 of 2021 pending investigation on the file of the 1<sup>st</sup> respondent police and quash the same in so far as the petitioners are concerned by allowing this Criminal Original Petition.

For Petitioner : Mr.N.Chinnaraj

For R1 : Mr.A.Damodaran,

Counsel for Government of Tamil Nadu

ORDER

This Criminal Original Petition has been filed by the petitioners to call for the entire records pursuant to the Crime No.3 of 2021 pending investigation on the file of the 1<sup>st</sup> respondent police and quash the same in so far as the petitioners are concerned by allowing this Criminal Original Petition.

2. The learned counsel for the petitioner submitted that there is a civil dispute with regard to the recovery of money and the same is also pending before the Commercial Court cum Principal District Court, Coimbatore. Since it is a civil dispute given criminal colour, he requested to quash the F.I.R against the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for the official respondent submitted that based on the



complaint, F.I.R has been registered against the petitioner in Crime No.3 of 2021 for the offence under section 420 of IPC and the investigation is still pending.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the official respondent and perused the records.

5. Admittedly the case was registered against the petitioner in Crime No.3 of 2021 for the offence punishable under section 420 of IPC and the investigation is still pending. Whether the petitioner is involved in the commission of offence or not and whether the dispute between them is civil in nature or not would only come to light after the investigation. Prima facie there is a allegation against the petitioner. Under these circumstances, the F.I.R cannot be quashed at this stage. Hence the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mfa

To

1.The commercial court cum Principal District court,  
Coimbatore.

2.The Inspector of Police,  
District Crime Branch,  
Tiruppur District.

3. The Public Prosecutor,  
High Court,  
Madras.

CRL.O.P.No.12340 of 2021

PMK(CO)  
B.VC(10.08.2021)