



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.12341 of 2021
and
Crl.M.P.No.6905 of 2021

1.Gopal
2.Kaliyammal

... Petitioners/Accused no 1&2

Versus

1.The Inspector of Police,
Guindy Police Station,
Chennai City.

2.Samsudeen

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records a case in Crime No.945/2019 on the file of 1st respondent and quash the same.

For Petitioners: Mr.M.Subash

For R1 : Mr.A.Damodaran,
Counsel for Government of Tamil Nadu

ORDER

This Criminal Original Petition has been filed by the petitioners to to call for the records a case in Crime No.945/2019 on the file of 1st respondent and quash the same.

2. The petitioners are arrayed as accused in Crime No.945 of 2019. The petition filed by the petitioners to quash the F.I.R in Crime No.945 of 2019 stating that false case has been foisted against them and there is a loan transaction between both the parties and they also admitted in the agreement. Civil dispute is pending between both the parties and to escape from the clutches of law, the defacto complainant has filed the



complaint before the respondent police.

3. The learned Government Advocate (Criminal Side), appearing for the official respondent has submitted that the investigation is still pending.

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

5. The investigation is in preliminary stage and there is a prima facie allegation against the petitioners and therefore this Court cannot invoke the jurisdiction and quash the F.I.R and therefore the Criminal Original Petition dismissed. However, the first respondent police is directed to complete the investigation and lay a charge sheet and file a final report within three months in accordance with law. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

// True Copy//

Sub Assistant Registrar

mfa

To

1.The Inspector of Police,
Guindy Police Station,
Chennai City.

2.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.P.Dasarathan, Advocate, S.R.No.34236

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PCH(CO)
SU(13/08/2021)