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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.17448 OF 2021

AND

CRL.MP.NO.9586 OF 2021

K.Revathi

...Petitioner

Versus

1. The State

Rep.by the Inspector of Police,
CCB Police Station,
Salem City, Crime No.12/2020.

2. V.Duraisamy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.12/2020 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.R.Chakkaravarthy

For Respondent : Mr.A.Damodaran
No.1 Additional Public Prosecutor

ORDER

The petitioner, who is the third accused in Crime No.12 of 2020 for offences under Sections 420 & 506 (i) I.P.C, has filed this quash petition.



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2.The Contention of the learned counsel for the petitioner is that the petitioner except being the wife of A1, she has nothing to do in this case. There is no specific allegation against the petitioner except for a passing reference that she was present in the house of A1. When the defacto complainant and others had come to her house asking for money, she abused them. He further submitted that the entire allegation is only against her husband and nothing against the petitioner. The petitioner has been falsely implicated. Further, in the similar situation, the judgment of the Apex Court in CrI.A.No.167 of 2021 (Archana Rana Vs. State of Uttar Pradesh and another) quashed the proceedings. In view of the same, this case against the petitioner to be quashed.

3.The learned Additional Public Prosecutor appearing for the first respondent submitted that it is the case of job racketing, around 10 to 15 people were cheated by the petitioner and her husband along with A2 more than a sum of Rs.10,00,000/-. They promised that they would get job to the victims either in Collectorate, Salem or in various other departments as menial workers or in some firm. The certain case of the victims is that the petitioner along with her husband and other accused promised them to get employment, believing the same, the victims paid money by pledging their houses, jewels and valuables. Now, they are left in the street. He further submitted that it is the case of job racketing, the accused are clever enough not to create any documents. The accused has got no power or authority with themselves but they had projected themselves as persons, who can secure the job. Believing the false representation, huge sums of money have been cheated by the accused. The acts of A1 and the petitioner/his wife are inseparable. They have been together in all the places. Further, investigation is in the midway, soon final report to be filed in this case.

4.Considering the submissions and on perusal of the materials, it seen that the petitioner/A3, who is the wife of A1, and A1 being the prime accused along with the other accused A2, all the three are joined together, collected huge sums of money from the innocent villagers and cheated them of more than a sum of Rs.10,00,000/-. It is a case of job racketing. The points raised by the petitioner would be considered by the respondent police. In view of the same, this court is not inclined to entertain the criminal original petition.



Accordingly, this Criminal Original Petition is dismissed.
Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

sms/nr

To

1. The State Rep.by the Inspector of Police,
CCB Police Station,
Salem City, Crime No.12/2020.
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.17448 of 2021
and
Cr1.MP.No.9586 of 2021

BP(CO)
RLP(22/11/2021)