



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.18000 of 2021
and
Cr1.M.P.No.9903 of 2021

1.Periyasamy.

2.Nathikarani. ... Petitioners/Accused 1 & 2

Versus

1. State, represented by
The Inspector of Police,
District Crime Branch
Salem
(Crime No.1 of 2019)

2. N.Devika. ... Respondents/Complainant/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.1 of 2019, on the file of Inspector of Police, District Crime Branch, Salem and to quash the same.

For Petitioner : Mr.C.Prabhakaran.

For Respondent : Mr.A.Damodharan,
Addl. Public Prosecutor
For R1.

ORDER

The petitioners, who are accused in Crime No.1 of 2019 for the offences under Sections 120(B) and 420 IPC, pending on the file of the first respondent, have filed this quash petition.



2. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case. During the Anticipatory Bail petition, the petitioners had deposited a sum of Rs.15,20,000/- (Rupees Fifteen Lakhs Twenty thousand rupees only) before the lower Court and the said amount can be paid to the defacto complainant and thereby, the issue can be resolved. On the contrary, the respondent police are continuing the investigation for the reasons best known to them .

3. The learned Additional Public Prosecutor submitted that in this case, the 1st petitioner is the Head Master of the Panchayat Union Elementary School and the defacto complainant is a teacher. The 2nd petitioner is the wife of the first petitioner. Both the petitioners Conducted a chit in the name of "Periyar Finance" from the year 2012. Thereafter, in the year 2015, the Finance Company was registered in Registration No.319 of 2015. The teachers, who are working in the school were compelled to invest in the Finance Company under various schemes. In total, a sum of Rs.2,67,00,045/- had been cheated by the petitioners. Now, investigation completed, charge sheet is ready to be filed before the concerned Court. Around 41 persons have been cheated by the petitioners.

4. This Court considered the submissions made on either side and perused the materials available on records carefully.

5. Finding that the petitioners have started a Finance Company and and cheated the teachers and others, who were known to them and thereby, cheated to the tune of Rs.2,67,00,045/-, this court is not inclined to entertain this Petition.

6. In view of the above, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

mrp/mpl



To

1. The Inspector of Police,
District Crime Branch
Salem.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.55215

CRL.O.P.No.18000 of 2021
and
Crl.M.P.No.9903 of 2021

NMI (CO)
SU (30/11/2021)