



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.23938 OF 2017

AND

CRL.M.P.NO.13867 OF 2017

1. Abdul Rahaman
2. Ashok Saraf
3. Ruchira Saraf

... Petitioners/Accused

-Vs-

1. The State by
The Inspector of Police,
Thiruvottiyur Police Station,
Chennai.

2. Lakshmipathy

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in FIR No.801 of 2017 on the file of 1st respondent and quash the same.

For Petitioners : Mr.R.Rajaratnam

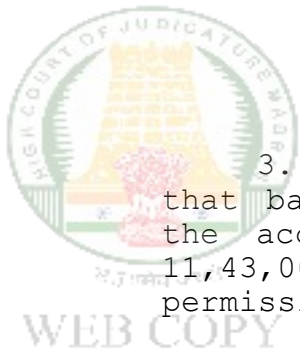
For Respondents : Mr.S.Vinoth Kumar
Government Advocate
For R1

Mr.M.Loganathan for R2

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.801 of 2017 registered against the petitioners for the offences under Sections 406, 417, 420, 467, 468 read with Section 34 of IPC.

2. Heard the learned counsel for the petitioners.



3. The crux of the allegation against the petitioners is that based on the agreement entered into between the parties, the accused have imported scrap iron to the value of Rs. 11,43,00,000/- and thereafter the goods were sold without the permission of the de facto complainant.

4. A perusal of the FIR indicates that a report has been filed for alleged fraudulent and dishonest act of the accused and this Court is of the view that it has to be investigated properly by the investigating agency. Though it is contended by the learned counsel for the petitioners that FIR itself suppressed many documents, those things cannot be gone into at this stage. The petitioners shall cooperate with the investigating agency and also produce all the documents available with them to substantiate their case. It is for the investigating officer to consider whether those documents are relevant for the purpose of investigation or not.

With the above observation, the instant Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gba/gpa

To

1. The Inspector of Police,
Thiruvottiyur Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.

CRL.O.P.NO.23938 OF 2017 AND
CRL.M.P.NO.13867 OF 2017

PM(CO)
PBS/07/12/2021