



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 25392 of 2017
and
Crl.M.P.Nos.14621 and 14622 of 2017

1.Rajeev V.Nair

2.Sudhir P.Nair

. . . Petitioners

Versus

1.Inspector of Police,
District Crime Branch,
Coimbatore-641018
Crime No.5 of 2016.

2.Shibhu

. . . Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to C.C.No.173 of 2017 on the file of Judicial Magistrate No.I, Coimbatore and quash the same as illegal.

For Petitioners : No appearance

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
for R1

: Mr.M.Jaikumar for R2

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.173 of 2017 on the file of Judicial Magistrate No.I, Coimbatore.

2.The main crux of the allegations is that the accused, in the guise of engaging the de facto complainant as a partner in their concern, induced the de facto complainant to give a sum of Rs.62,33,000/- and parted with the money, without keeping up



their promise. Therefore, the accused has committed the offence under Section 420 IPC for inducement and cheating.

3.Today, there was no representation for the petitioners.

4.Heard the learned Government Advocate (Crl. Side) appearing for the 1st respondent and the learned counsel for the 2nd respondent and perused the materials available on record.

5.The main allegation is that the accused had parted with huge sum of money and on a perusal of the entire materials collected by the prosecution, this Court is of the view that there are materials available to proceed against the accused. Therefore, this Court is of the view that it is a fit case for trial, and therefore, the question of quashment of proceedings at this stage will not arise at all.

6.Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

psa/mkn

To

1. The Judicial Magistrate No.I,
Coimbatore.
2. The Inspector of Police,
District Crime Branch,
Coimbatore-641018.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Jaikumar, Advocate, S.R.No.61331

Crl. O.P. No. 25392 of 2017

NRL (CO)
SU(07/12/2021)