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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 29.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 17370 of 2017
and
Crl.M.P.No.10622 of 2017

K.S.Venkatachalam ... Petitioner

Versus

1.The Inspector of Police,
Vadapalani Police Station,
Chennai.

2.S.Kasi Viswanathan ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings in Crime.No.1550 of 2016 dated 15.11.2016 on the file of the 1st respondent.

For Petitioner : Mr.J.Pothiraj

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

: MR.C.S.Dhanasekaran for R2

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in Crime.No.1550 of 2016 dated 15.11.2016 as against the accused for the offences under Sections 406, 420 and 506 (i) of the Indian Penal Code.

2. The allegation against the accused is that the accused by playing deception, received a sum of Rs.30,00,000/-, from the second respondent to start a training Institute for Fire and Safety Engineering and Safety, Health and Environmental Engineering certificate Course. But he failed to start the institute, thereby committed an offence punishable under Sections 406, 420 and 506 (i) of the Indian Penal Code.

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3.Heard the learned counsel on either side and perused the materials available on record.

4. The allegation in the First Information Report indicate that the accused gave a false promise and obtained Rs.30,00,000/- on the pretext of starting a training Institute. Though it appears to be civil in nature, allegations indicate that there are some deception to part with the money. Hence, the same has to be investigated by the Police and it is for them to file a final report, indicating whether offence has been made or not. In such a view of the matter, I am not inclined to quash the First Information Report.

5. In the result, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

psa/mvs

To

1.The Inspector of Police,
Vadapalani Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.S.Dhanasekaran, Advocate SR. No.61775

Crl. O.P. No. 17370 of 2017

KSM (CO)
PR (09/12/2021)

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