



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2022

CORAM::

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.1136 of 2019
& CrI.M.P.No.746 of 2019

1. C.Malarvizhi,
W/o.R.Chandrasekaran.

2. C.Aathithyan,
S/o.R.Chandrasekaran. ...Petitioners/Accused Nos.3 & 4

/versus/

1. State Represented by,
Inspector of Police,
Mannargudi Town Police Station,
Thiruvavur District.
(Crime No.240/2018)

2. S.Vasuki,
W/o.Sathiya Moorthy. ...Respondents/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, 1973, praying to call for the records and quash the F.I.R in crime No.240 of 2018 on the file of the 1st respondent police against the petitioners and pass orders.

For Petitioners: No appearance

For R1 : Mr.S.Santhosh,
Government Advocate (CrI.Side)

For R2 : No appearance

O R D E R

This Criminal Original Petition is filed by the petitioners to call for the records and quash the F.I.R in Crime No.240 of 2018 on the file of the 1st respondent police against the petitioners.

2.This petition is filed to quash the First Information Report registered by the 1st Respondent police on 04.05.2018 for



offence punishable under Section 420 of I.P.C.

3. From the reading of the First Information Report, it appears that there is a money transaction between the defacto complainant and accused and when the accused demanded the money back pursuant to the advance paid for purchase of the property, the accused persons are refused to pay the money. It is also stated that the Power of Attorney based on which the sale agreement was entered and advance received, cancelled stealthily.

4. In the said circumstances, the present complaint is filed for cheating. Since there is material for investigation, the petitioners cannot seek for quash of the First Information Report without participating in the investigation. Accordingly, this Criminal Original Petition is dismissed with direction to the 1st respondent police to complete the investigation within a period of two months. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

bsm

To:-

1. The Inspector of Police,
Mannargudi Town Police Station,
Thiruvavur District.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.1136 of 2019
& Crl.M.P.No.746 of 2019

GPL (CO)
RGA (28/03/2022)