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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3566 of 2022
and Crl.M.P.No.1671 of 2022

Saravanan ... Petitioner/Accused 3

Vs.

1.The State by
The Inspector of Police,
T3 Korattur Police Station,
Chennai. ...1st Respondent/Complainant

2.Kalpana ... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleaded to call for the records in Crime No.998/2021 on the file of Inspector of Police, T3 Korattur Police Station, Chennai and quash the same.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor for R1
Mr.V.Saimani for Mr.R.T.L.Chandar for R2.

O R D E R

The petition has been filed seeking to call for the records in Crime No.998/2021 on the file of Inspector of Police, T3 Korattur Police Station, Chennai and quash the same.

2.The case of the prosecution is that the petitioner along with three other accused in the guise of running a company had induced the defacto complainant and cheated him to the tune of Rs.20,00,000/-. During the course of investigation it is also came to light that the accused had looted several crores of rupees from the general public.



3.The learned counsel for the petitioner would submit that based on the reference under Section 156(3) of Cr.P.C., the learned Judicial Magistrate, Ambattur, a case was registered against the accused in Cr.No.998 of 2021 for the offence under Section 406 and 420 of IPC.

4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. In fact he has also deposited a sum of Rs.1 Crore in the business of the first accused company. He would further submit that a case has been registered based on the directions of the learned Judicial Magistrate, Ambattur for the offence under Sections 156(3) of the Cr.P.C.

5.The learned Additional Public Prosecutor would submit that the petitioner had earlier approached this Court in CrI.O.P.No.318 of 2022 seeking anticipatory bail and this Court findings that there are sufficient materials available against the accused had dismissed the anticipatory bail application on 12.01.2022. He would submit that the investigation is at initial stage. The grounds raised by the petitioner is factual in nature and the petitioner has not made out any ground to quash the proceedings.

6.The learned counsel for the 2nd respondent/defacto complainant would submit that the defacto complainant has been cheated to the tune of Rs.20,00,000/-. The petitioner accused along with other accused in the guise of running a company cheated the general public to the tune of Rs.200 Crores. He would submit that the investigation is also in the initial stage. He would further submit that the petitioner has also filed application in CrI.O.P.No.24967 of 2021 seeking for a direction to complete the investigation in this case within the stipulated period of time.

7. It is seen from the First Information Report that there are specific allegation as against the petitioner, which has to be investigated. Further the FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in the threshold. This Court finds that the FIR discloses prima facie commission of cognizable offence and as such this Court cannot interfere with the investigation. The investigating machinery has to investigate, grab and unearth the crime in accordance with the procedures prescribed in the Code.

8.With the above direction, this Criminal Original Petition is disposed of. However a direction is issued to the respondent to complete the investigation as expeditiously as



possible within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

jas/tsh

To

1. The Inspector of Police,
T3 Korattur Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras.

+2cc to Mr.R.T.L.Chandar, Advocate SR.No.11386

+1cc to Mr.P.Chandrasekar, Advocate SR.No.11405

Cr1.O.P.No.3566 of 2022

SV(CO)
GMY(21/03/2022)