



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.8964 OF 2022

Gnanaprakasam

... Petitioner/Accused A1

Vs.

1. State rep. by The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.
[Crime No.734 of 2021]

2. Vaidyanathan

... Respondents/Complainant/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the First Information Report registered in Crime No.734 of 2021 dated 27.12.2021 on the file of Kadampuliyur Police Station.

For Petitioner	:	Mr.D.S.Ramesh
For Respondent No.1	:	Mr.A.Gokulakrishnan
		Additional Public Prosecutor
For Respondent No.2	:	Mr.S.Sarath Chandran

O R D E R

This Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.734 of 2021 on the file of first respondent for the offence under section 420 of IPC.

2. The crux of the allegation in the First Information Report is that the accused has received money under the pretext of getting a job and thereby cheated the defacto complainant.

3. The learned counsel for the petitioner would contend that there is a delay in registering the First Information Report and he is also a victim of job racketing and hence seeks to quash the same.



4. The learned Additional Public Prosecutor appearing for the respondents submitted that there are prima facie materials against the petitioner and witnesses have clearly spoken about the role played by the petitioner in the commission of the offence and fake job Orders have also been issued and they had sent the same for verification and hence, prayed to dismiss this petition.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

6. At the outset, this Court is of the view that it is for the investigation agency to probe the perpetrator and whether the petitioner has any nexus with the real perpetrator. It is for the Investigating Officer to unearth the materials during the investigation and file the final report. When the allegations, prima facie, discloses ingredients of the offences, the First Information Report has to be proceeded for its logical end. The Court cannot interfere during investigation, unless and until the First Information Report is a clear abuse of process of law and the materials do not constitute any offence. Hence, I do not find any merits to quash the First Information Report at this stage.

7. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court of Madras.

+1cc to M/s.D.S.Ramesh, Advocate, S.R.No.39055

Cr1.O.P.No.8964 of 2022

PA(CO)

RLP(06/07/2022)