



Crl. O.P. No.11209 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.11209 of 2022

S.Saranya

...

Petitioner

Vs

1. State

rep. By The Inspector of Police
K8 Arumbakkam Police Station
Chennai.

2. K. Gokulraj

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.176 of 2022 dated 11/4/2022 on the file of the respondent Police and quash the same.

For Petitioner
For Respondents

...
...

Mr.P.Sathyanathan
Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R.1.
Ms.M.V.V.N.Sivanthi for R.2



Crl. O.P. No.11209 of 2022

ORDER

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This Criminal Original Petition has been filed to quash a case registered in Crime No.176 of 2022 dated 11/4/2022 on the file of the respondent Police, for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

2. Heard Mr.P. Sathyanathan, learned counsel for the petitioner, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the first respondent and Ms.M.V.V.N.Sivanthi, learned counsel for the second respondent.

3. The case of the prosecution is that the second respondent/defacto complainant entered into a service agreement with the petitioner's Company for digital content creation for educational services of the defacto complainant's Company. Petitioner Company was delaying the project delivery and thereby, cheated the defacto complainant, seeking recovery of data and machinery from the petitioner and other accused.

4. The learned counsel appearing for the petitioner submitted that no



Crl. O.P. No.11209 of 2022

case has been made out and the allegation will not attract the offence.

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5. At the outset, I am unable to persuade the allegations found in the First Information Report for the reason that there is a false promise made by the petitioner, to deliver certain things, which has not done so. In such a view of the matter, I do not find any merit to quash the case registered in Crime No.176 of 2022 dated 11/4/2022 on the file of the first respondent Police.

6. In the result, this Criminal Original Petition is dismissed. The Investigation Officer shall conduct the investigation in a fair manner.

29/6/2022

mvs.

Index: Yes/No

Internet: Yes

Speaking/Non-speaking order.

N. SATHISH KUMAR, J

Page No:3/4



Crl. O.P. No.11209 of 2022

mvs.

To

1. The Inspector of Police
K8 Arumbakkam Police Station
Chennai.
2. The Public Prosecutor, High Court, Madras.

Crl. O.P. No.11209 of 2022

29/6/2022