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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

CRL.O.P.NO.10419 OF 2022

AND

CRL.M.P.NO.6233 OF 2022

1. Rajasekhar
S/o.Ramaiah,
2. Rajesh Kumar
S/o.Ramaiah
3. Mohammad Asif
S/o.Ibrahim,
4. Sai @ Saikumar,
S/o.Muthukrishnan,

...Petitioners

-Vs-

1. State rep. by Inspector of Police,
Kallakurichi Police Station,
CCD - II District.
(Crime No.11 of 2021)
2. R.Anandarasu,
Sub Inspector of Police,
Kallakurichi Police Station,
CCD - II District.

... Respondents

Prayer:

Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the F.I.R. registered in Crime No.11 of 2021 against the petitioners pending on the file of the first respondent Police.

For Petitioners : M/s.M.Varadhan



For R1

: Mr.A.Gokulakrishnan
Additional Public Prosecutor

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ORDER

This Criminal Original Petition has been filed to call for the records and quash the F.I.R. registered in Crime No.11 of 2021 against the petitioners pending on the file of the first respondent Police.

2. It is a case of betting activities through an app namely IXBET and receiving money through Paytm from the players. The petitioners have been involved in this case and have been arrested. Based on the report case has been registered by the respondent.

3. Heard both sides.

4. Though the learned counsel for the petitioner contented that no entrusted materials were seen from the petitioner, this submission is premature at this stage. It is for the Investigating Agency to unearth the materials during investigation. This Court cannot conduct roving enquiry. That apart the Hon'ble Supreme Court in (Neeharika Infrastructure P Ltd., Vs. State of Maharashtra and others) reported in 2021 (2) MWN Cr.90 (SC) has issued guidelines and has held that quashing of an FIR should be an exception and a rarity than an ordinary rule.

5. This Court does not find any merits, accordingly the Criminal Original Petition stands dismissed. Consequently connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dpq



To

1. The Inspector of Police,
Kallakurichi Police Station,
CCD - II District.
(Crime No.11 of 2021)

2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.10419 of 2022
and Crl.M.P.No.6233 of 2022

RP (CO)
PM/20/06/2022