



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.17615 of 2020
& Crl.M.P.No.6851 of 2020

1. Palanisamy,
S/o.Nanjundappan.

2. Kishore,
S/o.Palanisamy ... Petitioners/Accused No.2 & 3

/versus/

State represented by,

1. The Inspector of Police,
Sathyamangalam Police Station,
Erode District. ... Respondent/Complainant

2. Sivakumar,
S/o.Nagappa Chettiar. ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to call for the records and quash the Crime No.344 of 2018 on the file of the Inspector of Police, Sathyamangalam Police Station, Sathyamangalam, Erode District and pass orders.

For Petitioners : Mr.V.Sasi Rekha

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

For R2 : Mr.I.C.Vasudevan

O R D E R

This petition is filed to quash the F.I.R filed by the accused Nos.2 & 3. The First Information Report dated 14.07.2018, in Crime No.344 of 2018 on the complaint given by one Jeya W/o.Palanisamy alleging that, these petitioners have cheated a sum of Rs.7 lakhs by promising multiple fold returns of her investment in iridium business. According to the complainant, the said money transaction took place in the month of November - 2017 and in spite of waiting for several months. The accused persons have not delivered the promised iridium or



there was no multiple returns as promised. Claiming that, there was criminality against these petitioners, the quash petition is filed.

2. However, the Learned Government Advocate (Crl.Side) for the respondent police would submit that on completion of investigation, the respondent has found material to charge the petitioners and final report been filed before the concern Judicial Magistrate as early as 2018. However, it is also stated that the Judicial Magistrate has not taken steps so far. In the said circumstances, it is open to the petitioner herein to seek for discharge before the Trial Court or contest the case and prove his innocence. F.I.R filed after completion of investigation and final report may not be appropriate at this stage. It may not be appropriate to quash the F.I.R in a case where investigation is completed and final report already filed. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bsm

Copy to:-

1. The Inspector of Police,
Sathyamangalam Police Station, Erode District.

2.The Public Prosecutor, High Court, Madras.

+1cc to Mr.V.Sasi Rekha, Advocate, S.R.No.29461

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AK-II (CO)
CT 05/05/2022