



WEB COPY



Crl.O.P.No.18610 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

CORAM

THE HON'BLE MS. JUSTICE R.N.MANJULA

Crl.O.P.No.18610 of 2021

and

Crl.MP.No.14122 of 2021

R.Rajkumar
Secretary, The Madras Flying Club Ltd,
IOSA Auditor ISO 9001:2015 Lead Auditor
Chennai Airport, Chennai 600027.
Residing at
M14/20, Navabharath Colony,
2nd street, Besant Nagar,
Chennai 600090.

... Petitioner /Accused

Vs.

1.State rep by the Inspector of Police,
S3, Meenambakkam Police Station,
Chennai-600 027.

... Respondent/ Complainant

2.M.Ramesh

... Respondent/
Defacto Complainant

3.The Joint Secretary
Ministry of Civil Aviation,
Government of India,
B-Block, Rajiv Gandhi Bhavan,
New Delhi-110 003.

...Respondent

(R3- suo moto impleaed as per oder in Crl.OP.No.18610 of 2021
and Crl.MP.No.14122 of 2021, dated 23.03.2022)



Crl.O.P.No.18610 of 2021

WEB COPY

Prayer in Crl.OP.No.18610 of 2021:- This Criminal Original Petition filed under Section 482 of Cr.P.C., praying (i) to call for the entire records relating to the case in FIR.No.487 of 2017, on the file of the Inspector of Police, S3 Meenambakkam Police Station, Chennai enable the petitioner to appear for a physical hearing and to make submissions with regard to the facts and circumstances of the case foisted against the petitioner; and (ii) to call for the records relating to the case in FIR.No.487 of 2017, on the file of the Inspector of Police, S3, Meenambakkam Police Station, Chennai and quash the same.

For Petitioner	:	No appearance
For Respondents	:	Mr.A.Damodaran Additional Public Prosecutor for R1
	:	Mr.B.Kumar S.C.for Mrs.R.Nagarani for R2
	:	Mr.R.Rajeshvikvekananthan Asst. Solicitor General of India for R3



Crl.O.P.No.18610 of 2021

ORDER

This Criminal Original Petition has been filed (i) to call for the records relating to the case in FIR.No.487 of 2017, on the file of the Inspector of Police, S3 Meenambakkam Police Station, Chennai to enable the petitioner to appear for a physical hearing and to make submissions with regard to the facts and circumstances of the case foisted against the petitioner; (ii) to call for the records relating to the case in FIR No.487 of 2017, on the file of the Inspector of Police, S3, Meenambakkam Police Station, Chennai and quash the same.

2. The case of the prosecution is that the petitioner, who was appointed as the Secretary of the Madras Flying Club Limited, had stolen away a Maruthi Gypsy vehicle bearing Registration No. DL12C 6521.

3. There is no representation for the petitioner.

4. On the very same petition, it is seen that an order has been passed by this Court on 22.10.2021 directing the petitioner to take steps to return back the vehicle belonging to the Ministry of Civil Aviation without any delay. So far, no compliance report appears to have been



Crl.O.P.No.18610 of 2021

filed. In the meanwhile, the original petition in Crl.OP.No.19581 of 2020 was filed by one Captain Jacob Selvaraj, Honorary Secretary of the Madras Flying Club Limited seeking direction to the first respondent police to complete the investigation within a specific time frame. The said petition was disposed of on 10.12.2020 by giving direction to the first respondent police to complete the investigation within a period of four months.

5. The learned Additional Public Prosecutor appearing for the first respondent submitted that the investigation is almost completed and final report will be filed shortly. In spite of the direction already given in Crl.OP.No.19581 of 2020, dated 10.12.2020 the investigation is still pending.

6. It is submitted by the learned Additional Public Prosecutor that in the order dated 22.10.2021 passed by this Court in this petition, there is a specific direction that the 1st respondent police should not proceed with the investigation till the petitioner returns back the vehicle to the Ministry of Civil Aviation.



Crl.O.P.No.18610 of 2021

7. But, the order dated 22.10.2021 would make it clear that the first respondent police was restrained from proceeding with the investigation till 23.11.2021 and on which date, the matter was adjourned from 22.10.2021.

8. As already undertaken, the petitioner has not returned the vehicle within a period of 30 days and hence, nothing will prevent the first respondent from proceeding further in accordance with law.

9. With the above direction this Criminal Original Petition is **Disposed of** and the first respondent police is directed to proceed further in accordance with law. Consequently the connected Criminal Miscellaneous Petition is closed.

30.09.2022

Speaking/Non-speaking
Index : Yes/No

RS/jrs

R.N.MANJULA, J.



Crl.O.P.No.18610 of 2021

RS/jrs

WEB COPY

To

1. The Inspector of Police,
S3, Meenambakkam Police Station,
Chennai-600 027.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.18610 of 2021
and Crl.MP.No.14122 of 2021

30.09.2022