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CRL.O.P.Nos.22194 & 22200 / 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

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

Crl.O.P.Nos.22194 & 22200 of 2019
and Crl.M.P. No.11504 & 11507 of 2019

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...Petitioner in both petitions

vs.

1. The State represented by
The Inspector of Police,
Anti-Vice Squad 1,
CCB, Chennai District.

...Respondents in both petitions

Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to call for the records and quash the FIR in Crime Nos.67 & 68 of 2018 on the file of the Inspector of Police, Anti-Vice Squad 1, CCB, Chennai District.

In both petitions:

For Petitioners : Mr.Saranraj A

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)



COMMON ORDER

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These Criminal Original Petitions have been filed to call for the records relating to Crime Nos.67 & 68 of 2018 on the file of respondent and quash the same.

2. The petitioner is the fourth accused in Cr. Nos.67 of 2018 and first accused in Cr. No.68/2018. The case of the prosecution is that the accused have involved in immoral trafficking by misusing a massage centre.

3. The learned counsel for the petitioner submitted that on 10.05.2018 a case in Cr. No.67/2018 was registered and in which three named persons have been shown as accused 1 to 3; on the alleged confession given by the said accused, the petitioner has been implicated as fourth accused; since the case has been registered on 10.05.2018 itself, the petitioner had been taken by the police for enquiry; however an other case has been registered on 12.05.2018 in Cr. No.68/2018 as though some other occurrence had been taken place in the very same premises and this petitioner has been shown as the first accused. The learned



counsel for the petitioner submitted that detention of the petitioner under Act 14 of 1982 has been set aside by the learned Principal Sessions Judge, Chennai on 05.07.2018; hence the FIR's against the petitioner may be quashed.

4. The learned Government Advocate (Crl.side) submitted that on the earlier complaint registered in Cr. No.67 of 2018, five victims were involved and the victims involved in the Cr. No.68 of 2018 are different; the petitioner is the owner of the massage centre and he had been detained under Act 14 of 1982 and released on bail on 05.07.2018.

5. The core contention of the learned counsel for the petitioner is that when the police had taken away the petitioner on the earlier case in F.I.R. No.67 of 2018, it is not possible for him to get involved in a occurrence that was said to have taken place on 12.05.2018; and this case is nothing but a put up case by the police for invoking Act 14 of 1982 against the petitioner.



6. Since investigation is still pending and there are some named victims, I feel it is appropriate to direct the respondent to complete the investigation within a specific time frame.

7. Accordingly, the respondent police is directed to complete the investigation in Cr. Nos.67 & 68 /2018 within a period of one month from the date of receipt of a copy of this order and do the needful in accordance with law. The petitioner is at liberty produce the materials for the purpose of this case before the Investigation Officer and on receipt of the same, the Investigation Officer shall consider the same and do the needful in accordance with law.

8. With the above direction, these Criminal Original Petitions are disposed. Consequently, connected miscellaneous petitions are closed.

13.12.2022

Index : Yes/No
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CRL.O.P.Nos.22194 & 22200 / 2019

To
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1. The Inspector of Police,
Anti-Vice Squad 1,
CCB, Chennai District.
2. The Public Prosecutor
High Court of Madras
Chennai.



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R.N.MANJULA, J.

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