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Crl.OP.No.30527 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.30527 of 2022

and

Crl.M.P.No.18688 of 2022

Pandiyan

... Petitioner

Vs.

1. State Rep by,
Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore District.

2. Visvanathan

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records pertaining to the impugned F.I.R in Crime No.13 of 2022 dated 05.01.2022 on the file of the 1st Respondent Police and quash the same.

For Petitioner

: Mr.A. Murthy

For R1

: Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for records pertaining to the impugned F.I.R in Crime No.13 of 2022 dated 05.01.2022 on the file of the 1st Respondent Police and quash the same.

2. The learned counsel for the petitioner submitted that there was a loan transactions between the defacto complainant and the petitioner. The allegation made against the petitioner in the First Information Report that the petitioner threatened the defacto complainant and took the original documents from the custody of the defacto complainant are not true.

3. The learned Additional Public Prosecutor submitted that investigation in this case is pending.

4. On perusal of the FIR shows that, though there was a loan transactions between the defacto complainant and the petitioner. It is alleged that on 05.01.2022, when the defacto complainant demanded balance loan amount, petitioner stated to have threatened him. Further, on 12.09.2022, he had



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allegedly taken the original document.

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5. Considering the specific allegations of threat and also forcible taking away of document, this Court finds that there is prima facie case made out in this case for registering the FIR for cognizable offences and investigation.

6. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

12.12.2022

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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G.CHANDRASEKHARAN,J.

Sma

To.

1. Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court of Madras.

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12.12.2022