



WEB COPY

Crl.O.P(MD)No.3166 of 2022:

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)Nos.3166, 3162, 3167, 3180,

3160, 3143, 3169 & 3165 of 2022

&

Crl.M.P(MD)Nos.2370, 2365, 2371, 2384, 2363,

2353, 2374 & 2368 of 2022

Prabha

... Petitioner/

2nd Accused in all Crl OPs

Vs.

1. The State represented by
The Inspector of Police,
CCB Police Station,
Trichy City.
(Crime No.26 of 2017)

2. Chinthanai Selvi
W/o/Chinnadurai,
No.5/54, Nadu street,
chithiraikudi village and post,
Budalur,
Thanjavur District.

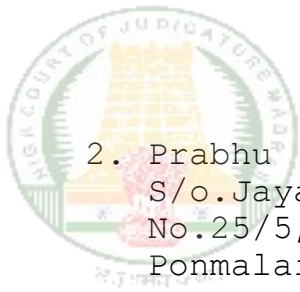
... Respondents in Crl.O.P(MD)No.3166 of 2022

1.The State rep.by,
The Inspector of Police,
CCB Police Station,
Trichy City,
(Crime No. 9/2017)

2. Rajesh
S/o Somu,
No.61 Thirunagar,
Srinivasapuram,
Thanjavur District.

... Respondent in CRL OP(MD)No. 3162/ 2022

1.The State rep.by,
The Inspector of Police,
CCB Police Station,
Trichy City.
(Cr.No. 28 of 2016)



2. Prabhu
S/o.Jayaraman,
No.25/5, F-Type,
Ponmalai, Trichy.

... Respondents in CRL OP(MD)No. 3167/ 2022

WEB COPY

1. The State rep.by,
The Inspector of Police
CCB Police Station,
Trichy City.
(Crime No.9/2016).

2. Lavanya
W/o.Ashok Kumar,
No.11,Mahalikudi,
Samayapuram, Trichy.

... Respondents in CRL OP(MD)No. 3180/ 2022

1. The State rep.by,
The Inspector of Police
CCB Police Station,
Trichy City,
(Crime No. 6/2017)

2. Manikandan
S/o Kannaian,
No.1575 Periyarpuram,
Budalur,
Thanjavur District.

... Respondents in CRL OP(MD)No. 3160/ 2022

1. The State rep.by ,
The Inspector of Police
CCB Police Station,
Trichy City.
Cr. No. 5 of 2017.

2. Kumaravel
S/o. Rajavel,
No.2/199 Dharmu Nagar,
Mathur Post,
Kulathur Taluk,
Pudukkottai District.

... Respondents in CRL OP(MD)No. 3143/ 2022



1. The State rep.by,
The Inspector of Police
CCB Police Station,
Trichy City.(Crime No.4/2017)

2. Pethu Ganesh
S/o.Muniasamy,
No.2/407, West Street,
Maruthaipattinam,
Thiruvarur District.

... Respondents in CRL OP(MD)No. 3169/ 2022

1. The State rep.by,
The Inspector of Police
CCB Police Station,
Trichy.
(Cr.No. 27 of 2016)

2. Salamon Raja
S/o.John Selavaraj,
D.No.85-A, Kannadasan Street,
R.P.Sivam Nagar,
Mannargudi, Thiruvarur District.

... Respondents in CRL OP(MD)No. 3165/ 2022

Prayer Crl.O.P(MD)No.3166 of 2022: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Crime No.26 of 2017 on the file of the first respondent police and quash the same.

Prayer in CRL OP(MD)No. 3162 of 2022 :

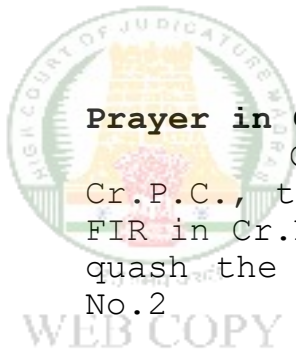
Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Cr.No. 9 of 2017 on the file of the 1st respondent police and to quash the same in so far as the petitioner is concerned / Accused 2

Prayer in CRL OP(MD)No. 3167 of 2022 :

Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Cr.No.28 of 2016 on the file of the 1st respondent police and to quash the same in so far as the petitioner is concerned.

Prayer in CRL OP(MD)No. 3180 of 2022 :

Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Crime No.9/2016 on the file of 1st respondent police and to quash the same in so far as the petitioner is concerned and to pass such or other orders as this Honble Court deems fit.



Prayer in CRL OP(MD)No. 3160 of 2022 :

Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Cr.No. 6 of 2017 on the file of the 1st respondent police and quash the same in so far as the petitioner is concerned / Accused No.2

Prayer in CRL OP(MD)No. 3143 of 2022 :

Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Cr.No.5 of 2017 on the file of the 1st Respondent Police and to quash the same in so far as the Petitioner is concerned and to pass such or other orders.

Prayer in CRL OP(MD)No. 3169 of 2022 :

Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Crime No.4/2017 on the file of 1st respondent police and to quash the same in so far as the petitioner is concerned and to pass such other orders as this Honble Court may deems fit.

Prayer in CRL OP(MD)No . 3165 of 2022 :

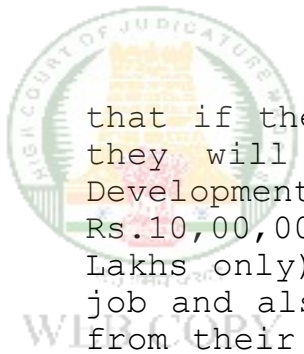
Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to the impugned FIR in Cr.No.27 of 2016 on the file of the 1st Repsodnent Police and to quash the same in so far as the Petitioner/Accused No.2 is concerned/Accused 2 and to pass such or other orders.

For Petitioner : Mr.G.Prabhu Raja Durai
(in all Crl.OPs)
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)
for R.1
(in all Crl.OPs)
Mr.N.Anandha Kumar for R.2
(in Crl.Ops Nos.3166, 3162,3167,
3180, 3143, 3169,3165 of 2022)
: M/s.T.Banumathi
for R2 (in Crl.OP(MD).No.3160/2022)

COMMON ORDER

These Criminal Original Petitions have been filed to quash the impugned FIR in Crime No.26 of 2017 on the file of the first respondent police.

2. The learned counsel for the petitioner alleged that the first accused is running an Institute, namely, Bharathiyar Uni School of Development Education. The second accused is the wife of the first accused. Both of them convinced the defacto complainant



that if the petitioner gave Rs.10,00,000/- (Rupees Ten Lakhs only), they will arrange Government job in Bharathiyar Uni School of Development Education. Believing their words, victim also paid Rs.10,00,000 (Rupees Ten Lakhs only) -15,00,000/- (Rupees Fifteen Lakhs only) to the accused persons. Thereafter, they failed to get job and also refused to return back the amount which were collected from their respective victims. On the support of the complaint from the victims the first respondent registered the FIRs for the very same offences. On the complaint lodged by one, Sridhar, the first respondent registered the FIR in Crime No.29 of 2016 for the very same set of allegations. After registering the FIR, the first respondent completed the investigation and filed the final report and the same has been taken cognizance in C.C.No.1083 of 2021 on the file of the learned Judicial Magistrate No.I, Trichy, for the offences under Sections 465, 468, 471 and 420 IPC.

3. It is seen that all the FIRs have been registered for the very same set of allegations for several victims. The allegations are one and the same, in which, already the first respondent completed the investigation and filed the final report and the same has been taken cognizance. The accused persons are facing trial in C.C.No.1083 of 2021 on the file of the learned Judicial Magistrate No.I, Trichy. Therefore, to avoid multiple set of proceedings and also to avoid different set of conflict of decisions, the defacto complainants in the FIRs in Crime Nos. 9 of 2016, 28 of 2016, 27 of 2016, 26 of 2017, 9 of 2017, 4 of 2017, 5 of 2017, and 6 of 2017 may be added as witnesses in C.C.No.1083 of 2021 on the file of the learned Judicial Magistrate No.I, Trichy.

4. In view of the above, FIRs in Crime Nos. 9 of 2016, 28 of 2016, 27 of 2016, 26 of 2017, 9 of 2017, 4 of 2017, 5 of 2017, and 6 of 2017 herein are quashed. The first respondent is directed to record their statements and file the additional charge sheet within a period of six weeks along with additional documents which were collected from the victims in C.C.No.1083 of 2021 on the file of the learned Judicial Magistrate No.I, Trichy. On receipt of the same, the learned Judicial Magistrate No.I, Trichy, is directed to accept the same and proceed further in accordance with law.

5. Accordingly, these Criminal Original Petitions are allowed. Consequently, connected miscellaneous petitions are closed.

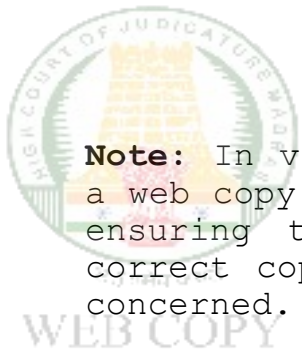
Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judicial Magistrate No.I,
Trichy.
2. The Inspector of Police,
CCB Police Station,
Trichy City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)Nos.3166, 3162, 3167, 3180,
3160, 3143, 3169 & 3165 of 2022
29.03.2022

RK(16/05/2022) 6P 4C