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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.(MD) No.8503 of 2022

and

Crl.M.P(MD) No.5766 of 2022

John Peter

... Petitioner

Vs

1. The State of Tamil Nadu  
Represented by the Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.  
(Crime No.329/2021).

2. Nadarajan

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to pass an order to call for the First Information Report in Crime No.329/2021, dated 02.09.2021 on the file of the first respondent and quash the same as illegal and devoid of merits in respect of this petitioner is concerned.

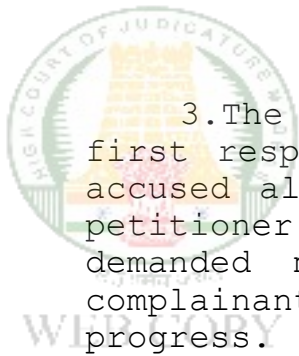
For Petitioner : Mr.S.Ramakrishnan

For R1 : Mr.M.Sakthi Kumar,  
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.329/2021, dated 02.09.2021 on the file of the first respondent, as against the petitioner.

2.The learned Counsel appearing for the petitioner submitted that the petitioner herein is the second accused in the FIR registered in Crime No.329 of 2021. The case has been registered as against one Jenson Muthuraj and the petitioner, namely, John Peter, under Section 294(b), 387 and 506(2) of IPC. Further, he submitted that as per the allegations in the FIR, the petitioner has not demanded any amount and the first accused, namely, Jenson Muthuraj alone demanded money and obtained a sum of Rs.50,000/- (Rupees Fifty Thousand Only) in the month of January 2021 from the complainant. Subsequent occurrence, which is said to be taken place on 01.09.2021 is a false one. The petitioner herein had not participated in demanding money from the complainant and thus pleaded to quash the FIR against the petitioner.



3.The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that on the first time only, the first accused alone involved in demanding money, but on 01.09.2021, the petitioner herein along with the first accused went to the quarry, demanded money, used filthy language and also threatened the complainant. Further, he stated that the investigation is in progress. Hence, at this stage, it cannot be quashed and pleaded to dismiss this criminal original petition.

4.On a perusal of records, it reveals the fact that the case had been registered on a complaint given by one Sree Lingamoorthi, S/o.Nadarajan, alleging that the first accused came to quarry in the month of January 2021 and demanded a sum of Rs.50,000/-(Rupees Fifty Thousand Only). Out of fear, he gave Rs.50,000/-(Rupees Fifty Thousand Only) to him. After that, on July 12, 2021, the first accused demanded Rs.75,000/-(Rupees Seventy Five Thousand Only) and again, he demanded Rs.25,000/-(Rupees Twenty Five Thousand Only) and also contacted him through cell phone No.9750926777 and demanded further money. Subsequently, on 01.09.2021, at about 08.00 am, when the complainant was in his office, the first accused and petitioner came to the complainant's office, demanded money, used filthy language and particularly, the first accused threatened the complainant by taking a knife from his pocket and snatched a sum of Rs.2,00,000/-(Rupees Two Lakhs Only) from the complainant. The allegation is that the petitioner herein was also there along with the first accused, while snatching Rs. 2,00,000/-(Rupees Two Lakhs Only) from the complainant.

5.Admittedly, the investigation is in progress. Considering the grave nature of ransom, I find no merit in this petition for quashing the FIR. Hence, this criminal original petition stands dismissed. However, the respondent police is directed to speed up the investigation and file final report before the concerned Judicial Magistrate Court. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS III)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.



2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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MGJ(14.06.2022) 3P 3C