



Crl.O.P.No.6204 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6204 of 2023

and

CrI.M.P.No.3872 of 2023

Parveen Kumar

...

Petitioner

-VS-

1.The State represented by
The Inspector of Police,
F3, Arambakkam Police Station,
Gummidipoondi,
Tiruvallur District,
Tamil Nadu – 601 201.

2.Babu Lal

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records to quash the FIR registered in the Crime No.234 of 2022 on the file of respondent police against the petitioners/accused.

For Petitioner

...

Mr.S.Kathiravan

For R-1

...

Mr.S.Santhosh

Government Advocate (Criminal side)



Crl.O.P.No.6204 of 2023

ORDER

This Criminal Original Petition has been filed to call for the records to quash the FIR registered in the Crime No.234 of 2022 on the file of respondent police against the petitioners/accused.

2. It is the submission of learned counsel for the petitioner that First Information Report was registered against the petitioner in Crime No.234 of 2022 for the offences under Section 381 of IPC. Though it is claimed that petitioner was arrested with the stolen jewellery and it was recovered from him by the defacto complainant, it is submitted that jewellery alleged to have been recovered from the petitioner is not produced before the Court till date. Therefore, petitioner prays for quashment of First Information Report in the Crime No.234 of 2022 on the file of respondent police.

3. In response, learned Government Advocate (Criminal side) submitted that petitioner was caught red handed with the stolen jewellery weighing 4 grams of gold chain. Investigation in this case is completed and final report would be filed in due course. The defacto complainant had



gone to North India and therefore, stolen gold chain was not produced before the Court, so far.

4. In the light of the submissions of the learned counsel for the parties, the specific allegation made in the First Information Report that petitioner was caught red handed with the stolen jewellery, and that investigation in this case is completed, this Court is not inclined to quash the First Information Report in the Crime No.234 of 2022 on the file of respondent police. However, it is the duty of the respondent police to recover the stolen jewellery from the defacto complainant and produce the jewellery to the custody of the Court and remand as case property. It is not done so far. Therefore, respondent police is directed to produce the stolen gold chain in the Court immediately and ensure that the property is received as case property.

5. Accordingly, this Criminal Original Petition is dismissed with a direction to the respondent police to produce the stolen gold chain in the Court immediately and ensure the property is received as case property.



Crl.O.P.No.6204 of 2023

Consequently, the connected Miscellaneous Petition is closed.

WEB COPY

20.03.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

gd

To

1.The Inspector of Police,
F3, Arambakkam Police Station,
Gummidipoondi,
Tiruvallur District,
Tamil Nadu – 601 201.

2.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



WEB COPY



Crl.O.P.No.6204 of 2023

gd

Crl.O.P.No.6204 of 2023

20.03.2023