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CrI.O.P.No.1806 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

CORAM

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.1806 of 2023

and

CrI.M.P.No.1014 of 2023

K.Ramachandran

...Petitioner

Vs.

1.The State represented by
The Inspector of Police,
CCB-I,
Chennai City.
(Crime No.224 of 2022)

2.Karthikeyan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to call for the records and quash the First Information Report in Crime No.224 of 2022 pending on the file of the Central Crime Branch -I, Chennai.

For Petitioner	: Mr.D.Ashok Kumar
For R-1	: Mr.S.Santhosh
	Government Advocate (Criminal side)



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ORDER

This Criminal Original Petition has been filed to call for the records and quash the First Information Report in Crime No.224 of 2022 pending on the file of the Central Crime Branch -I, Chennai.

2. Learned counsel for the petitioner submitted that, in the entire allegations made in the First Information Report, except in one place that the petitioner received Rs.6,50,000/-, there are no other allegations implicating the petitioner with the offence alleged to have been committed in Crime No.224 of 2022. He further submitted that petitioner is lodged in Salem prison, in connection with a criminal case. So far, the respondent police has not taken any steps for enquiring the petitioner or to make formal arrest of him in this case. In such circumstances, petitioner filed this petition.

3. In response, learned Government Advocate (Criminal side) submitted that, 1st accused has impersonated himself as IAS officer and collected huge money from 135 temporary computer operators. This petitioner had introduced



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other accused to the defacto complainant and others. The amount cheated from the temporary computer operators, on the promise of getting them permanent employment is about Rs.4,00,00,000/-. Petitioner had received Rs.6,50,000/- in this case. The investigation in this case is pending.

4. Considered the rival submissions and perused the records.

5. The First Information Report allegations show that, defacto complainant as a Secretary of association formed by temporary computer operators has given this complaint. The petitioner came to be known to defacto complainant through one Azhagu Muthu. Petitioner introduced accused Selvabarathi and Sasikumar to the defacto complainant. The accused gave promise to the defacto complainant that they would make arrangements through the political secretary of former Chief Minister Mr.Edapaddi K.Palaniswami namely Elango, for getting permanent Computer operator's job to all the 135 temporary computer operators. In this regard, money have been collected from all of them. Rs.2,20,00,000/- was paid to Sasikumar on 18.02.2019 at G-10, IAS officer's quarters. Again a sum of



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Rs.1,00,00,000/- was paid to Sasikumar on 15.05.2019 in the presence of accused Selvabarathi. Further a sum of Rs.55,00,000/- was paid to accused Sasikumar with the help of Selvabarathi. Thus, all the three accused had cheated defacto complainant and other temporary computer operators to the tune of Rs.4,00,00,000/- on the promise of getting permanency in their employment. Therefore, a complaint was given. It is reported by learned Government Advocate (Criminal side) that investigation is pending.

6. The First Information Report allegations clearly makes out cognizable offences against the petitioner under Sections 406, 420 and 34 of IPC. The First Information Report was registered only on 20.10.2022. Considering the nature and seriousness of the offence, this Court is of the view that, respondent police should be permitted to investigate the case and file final report. It is not a fit case for quashing the First Information Report in Crime No.224 of 2022 pending on the file of the Central Crime Branch -I, Chennai.



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7. Accordingly, this Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petition is closed.

30.01.2023

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Index: Yes/No

Speaking Order: Yes/No

To

1. The Inspector of Police,
CCB-I,
Chennai City.

2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

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30.01.2023