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Crl.O.P.No.3595 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3595 of 2023

and

Crl.M.P.No.2257 of 2023

G.Murugesan

... Petitioner

Vs.

1. The Inspector of Police,
CCB-I, E.V.K.Sampath Salai,
Vepery, Chennai-07.

2.M.Loganathan

... Respondents

PRAYER: This Criminal Original Petition filed under Section 438 of Cr.P.C., to call for the records and quash the FIR in Crime No.276 of 2022 dated 30.12.2022 as against the petitioner/A-9 on the file of the 1st respondent.

For Petitioner : Mr.K.Gowthaman

For Respondent : Mr.S.Santhosh (for R1)
Government Advocate (Criminal Side)



Crl.O.P.No.3595 of 2023

ORDER

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The Criminal Original Petition is filed to call for the records and quash the FIR in Crime No.276 of 2022 dated 30.12.2022 as against the petitioner/A-9 on the file of the 1st respondent.

2. The learned counsel for the petitioner submitted that petitioner is the ninth accused in this case and he is only an investor with the first accused. Infact, first accused had cheated the petitioner to the tune of Rs. 2,20,00,000/-. When the first accused filed bail petition before the IX Metropolitan Magistrate Court at Egmore, petitioner filed intervening petition in Crl.M.P.No.41967 of 2022 objecting the bail petition. First accused had filed an affidavit, in the petition, stating that he is ready to repay the amount with principal and profit of Rs.1,90,00,000/- to the petitioner. Thus, he submitted that petitioner is only an investor and he has been falsely roped in this case.

3. The learned Government Advocate (Crl. Side) submitted that



Crl.O.P.No.3595 of 2023

investigation is at preliminary stage and therefore, he prays for dismissal of the petition.

4. In the light of the submissions made by the learned counsel appearing for the parties, this Court without going into the merits of the case, directs the petitioner to produce all the materials before the Investigating Officer to show that he is only an investor and not a cheater. On such production of materials, Investigating Officer is directed to verify the claim of the petitioner and conduct the investigation and file a proper final report within a period of three months from the date of receipt of copy of the order.

5. With the above observations and directions, this Criminal Original petition is disposed of. Consequently, connected miscellaneous petition is closed.

20.02.2023

Index : Yes / No
Speaking/Non speaking order
sma

G.CHANDRASEKHARAN,J.

Sma

3/4



Crl.O.P.No.3595 of 2023

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To

1.The Inspector of Police,
CCB-I, E.V.K.Sampath Salai,
Vepery, Chennai-07.

2.The Public Prosecutor,
Madras High Court.

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and Crl.M.P.No.2247 of 2023

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