



Crl.O.P.No.7984 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.7984 of 2022

and

Crl.M.P.No.4652 of 2022

1.Jalaludin Khan

2.Sayed Hussain

...

Petitioners

/vs/

1.State rep.by

The Inspector of Police,
Thiruvenkadu Police Station,
Mayiladuthurai.
(Crime No.23 of 2022)

2.Dhivakar

...

Respondents

PRAYER : The Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records in Crime No.23 of 2022 on the file of the Inspector of Police, Thiruvenkadu Police Station, Mayiladuthurai and quash the same.

For Petitioners

... Ms.R.Saranya

For Respondent
No.1

... Mr.S.Udayakumar
Government Advocate (Crl. Side)



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ORDER

Petition to quash the first information report registered in Crime No.23 of 2022.

2.It is alleged that investigation is initiated for the offences under Sections 406 & 420 IPC as against these petitioners. Though it is contended that the suit is civil in nature even the said fact has to be ascertained by the respondent police on due investigation and the reason stated in the First Information Report does not fall under the parameter laid down by the Hon'ble Supreme Court in *M/s Neeharika Infrastructure Private Limited v. State of Maharashtra and others reported in [AIR 2021 SCC 1918]*.

3.In the light of the above, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/No
Internet : Yes/No
sms

18.10.2023



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To

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1.The Inspector of Police,
Thiruvankadu Police Station,
Mayiladuthurai.
(Crime No.23 of 2022)

2.The Public Prosecutor,
High Court, Madras.



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G.JAYACHANDRAN,J.

sms

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