



CrI.O.P.No.7807 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.7807 of 2023
and CrI.M.P.No.5009 of 2023

R.Ravi

... Petitioner

VS

The State rep. by,
1.Inspector of Police,
T1, Ambattur Police Station,
Ambattur, Chennai – 600 053.

2.P.Shobanraj

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records on the file of respondent Police in Crime No.316 of 2020 and quash the same in so far as the petitioner is concerned.

For Petitioner : M/s.S.Sumathy

For Respondents : Mr.S.Santhosh (For R1)
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to call for the records on the file of respondent Police in Crime No.316 of 2020 and quash the same in so far as the petitioner is concerned.

2.The learned counsel for the petitioner submitted that petitioner is shown as second accused in Cr.No.316 of 2020 registered for offence under Section 406 and 420 I.P.C. The First Information Report allegations do not make out a specific case against the petitioner. Infact, petitioner is a victim. One Juliet had given a complaint against Savriraj making the same allegations. The real accused is only Savriraj. Petitioner has no connection with the alleged receipt of money on the promise of allotment of house in the housing board. Therefore, this petition.

3.The learned Government Advocate (Criminal side) submitted that investigation is completed and final report is ready and it would be filed before the concerned Magistrate Court in due course.



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4.Considered the rival submissions and perused the records.

5.The gist of the First Information Report allegations are that defacto-complainant knew the petitioner and his wife Juliet. Petitioner informed the defacto-complainant that he knew one Kathiresan, Registrar of Tamil Nadu, Slum Clearance Board, through him he would make arrangements for allotment of houses from Slum Clearance Board on payment of Rs.4,00,000/-. Believing his words, defacto-complainant along with his relatives and friends namely, i)Shankar, ii)Sekar, iii)Usha, iv)Rameshbabu, v)Arumugam, vi)Shanmugavalli, vii)Pushpalatha and viii)Yuvaraj had totally paid a sum of Rs.33,50,000/- to Juliet and petitioner Ravi. They were also given a letter pad giving permission for occupying the building. Letter pad contained Government seal and allotment number. Thereafter, defacto-complainant came to know that letter pad was forged and created document. When defacto-complainant and others demanded petitioner and his wife to repay the amount, they refused to repay the amount. On the said allegations, the complaint was given and First Information Report came to be registered as aforesaid.



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6.The reading of the First Information Report allegations clearly make out the commission of cognizable offences by the petitioner along with his wife Juliet. The allegations are to be necessarily investigated by the respondent Police. It is now reported that investigation is completed and final report would be filed before the concerned Magistrate Court in due course of time.

7.In the said circumstances, this Court is of the view that prayer for quashment of Cr.No.316 of 2020 on the file of the respondent Police cannot be entertained. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

17.04.2023

Index: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

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To

1. Inspector of Police,
T1, Ambattur Police Station,
Ambattur, Chennai – 600 053

2. The Public Prosecutor,
High Court, Madras.

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