



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE VIVEK KUMAR SINGH

Crl.O.P.No.18472 of 2022

S.Anbarasu

.. Petitioner

Vs.

1.The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

2.R.Vasanthi

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the case in Crime No.112/2022 dated 10.06.2022 registered for the offence punishable under Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Rate of Interest, Sections 294(b) and 506(i) IPC on the file of the respondent police.

For Petitioner : Mr.K.A.Mariappan

For Respondent-1: Mr.L.Baskaran, GA (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner to quash the proceedings against him in Crime No.112/2022 dated 10.06.2022 registered for the offence punishable under Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Rate of Interest, Sections 294(b) and 506(i) IPC on the file of the respondent police.

2. Heard Mr.K.A.Mariappan, learned counsel for the petitioner and Mr.L.Baskaran, learned Government Advocate (Crl. Side) appearing on behalf of the State.

3. The contention of the learned counsel for the petitioner is that the petitioner along with his father threatened the defacto complainant with dire consequences for borrowal of money. He submitted that on the date of occurrence, the petitioner was in Chennai and he has no nexus with his father's business. He further contended that the defacto complainant has no locus-standi to lodge the said complaint. Moreover, he submitted that the petitioner has no previous case and hence, prayed to quash the FIR.



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4. The learned Government Advocate submitted that the statements made in the complaint constitutes the offences for which a case has been registered against the petitioner herein and hence, there is no basis for the petitioner to seek for quashing the same.

5. Considering the submissions made on either side, this Court is of the opinion that since the petitioner was not present in the scene of occurrence and he has also not involved in any other case and no way connected with the offences, the case registered against the petitioner is liable to be quashed.

6. In the result, the Criminal Original Petition stands allowed. Consequently, the proceedings in Cr.No.112 of 2022 dated 10.06.2022 on the file of the first respondent herein is quashed.

07.12.2023

Index:Yes/No
NCC :Yes/No

DP



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VIVEK KUMAR SINGH.J,

DP

To

- 1.The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.
- 2.The Public Prosecutor,
High Court, Madras.

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