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Crl.O.P.No.23701 of 2021

'IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.23701 of 2021 and  
Crl.M.P.Nos.13063 & 13064 of 2021

1. Raveendar Reddy
2. Narendar Reddy

... Petitioners

Vs.

- 1.State by  
The Inspector of Police,  
Central Crime Branch,  
Team-V, Forgery Wing,  
Vepery,  
Chennai-600 007.

2. David Nicholas,  
Assistant Regional Security Officer,  
U.S.Consulate General,  
Chennai.

... Respondents

**PRAYER:** Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the charges made in the final report filed in C.C.No.3098 of 2020 pending trial on the file of the learned CCB, CBCID Metropolitan Magistrate Court at Egmore, Chennai.

For Petitioners : Mr.K.Kannan

For Respondent 1 : Mr.A.Gopinath,  
Government Advocate (Crl.Side)

For Respondent 2 : No appearance



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### **ORDER**

This criminal original petition has been filed to quash the proceedings in C.C.No.3098 of 2020 pending trial on the file of the learned CCB, CBCID Metropolitan Magistrate Court at Egmore, Chennai taken cognizances for the offences under Sections 468, 471, 420 r/w 511 of IPC.

2. The accused No.2 and 3 in the C.C.No.3098 of 2020 are the petitioners in this case. The case of the prosecution is that the 1st Accused had submitted VISA application along with supportive documents to the American Consulate General Office to get Visa to go to United States of America on business. Thereafter, the 1st accused was called for Visa Interview on 06.03.2014. In the interview, the 1st accused appeared as an employee of Sai Snigdha Constructions Pvt., Ltd., 1367, South End Main Road, Jaya Nagar, 9th Block, Bangalore. The documents filed in support of the application were sent for verification and the American Consulate General Office identified that all the documents submitted by 1st accused were fraudulent one. During the course of investigation, he submitted all those documents which were obtained from a individual named Ravinder Reddy at Worldwide Consultancy and Travels located in Balasamudaram, Opp. Canara Bank, near bus stop city, 2nd



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Advocate Colony, Hanamkonda, Warangal for which he also paid at Rs.1,50,000/-. After obtaining Visa, he would have to pay additional sum of Rs.1,50,000/-. Immediately, the Assistant Regional Security Officer-Investigator of U.S. Consulate General, Chennai had lodged a complaint with the above contents and handed over the 1st accused to the 1st respondent. On receipt of the said complaint, the 1st respondent registered FIR in Cr.No.165 of 2014 for the offences Under section 468, 471, 420 r/w 511 of IPC as against three accused.

3. The learned counsel for the petitioners submitted that the FIR was registered by the 1st respondent on 06.03.2014 at 13.15hrs, whereas the confession statement of the 1st accused was recorded only on 06.03.2014 at about 13.35hrs. Only in the confession statement he made some allegations as against the 2nd petitioner/3rd accused, even before the American Consulate General/Investigator or before the 1st respondent. The 1st accused never whispered about any overtact as against the 2nd petitioner/3rd accused. Without even any material, the 1st respondent registered the FIR at about 13.15hrs as against the 3rd accused also. Now the 1st petitioner namely the 2nd accused died. After completion of investigation, the 1st respondent filed a



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final report and the same has been taken cognizance by the trial court in C.C.No.3098 of 2020. Since the 1st petitioner died, all the charges abated against him.

4. On perusal of the impugned proceedings, revealed that the 1st accused while attending visa interview before the American Consulate General Office, the 1st accused produced documents such as Sai Snighda Constructions Pvt., Ltd. Employment Letters, Memorandum of Association, State Bank of Hyderabad letter, HDFC Bank Statements and Government of India Income Tax Returns. Subsequently, all were found fraudulent and as such he was handed over before the 1st respondent with the complaint. The 1st accused never whispered about any overtact of the 2nd petitioner herein. However, in the FIR, the 1st respondent added the 2nd petitioner also as 3rd accused with allegation that the 1st accused had only met the 3rd accused and in turn he assured that he will get Visa, since his father i.e., the 2nd accused is running a Worldwide Consultancy and Travels. That apart on perusal of the charge, the 2nd petitioner has not been charged for any offences. The entire charge is only as against the 1st accused. Further, the witnesses have not whispered about the overt act of the 2nd petitioner. Therefore no charges are made as against



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the 2nd petitioner and the entire proceedings are liable to be quashed. Since the 1st petitioner died, all the charges are abated against him.

5. Accordingly, this criminal original petition is dismissed as abated as against the first petitioner. In respect of the second petitioner alone, the entire proceedings in C.C.No.3098 of 2020 on the file of the CCB, CBCID Metropolitan Magistrate Court at Egmore, Chennai is quashed and this Criminal Original Petition is allowed. The learned CCB CBCID Metropolitan Magistrate Court at Egmore, Chennai is directed to proceed with the trial in respect of the first accused and complete the same within a period of six months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

13.10.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order

lok/gvn



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**G.K.ILANTHIRAIYAN, J.**

lok/gvn

To

1. The CCB, CBCID Metropolitan Magistrate Court at Egmore,  
Chennai
2. The Inspector of Police,  
Central Crime Branch,  
Team-V, Forgery Wing,  
Vepery,  
Chennai-600 007.
3. The Public Prosecutor,  
High Court of Madras

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