



WEB COPY



Crl.O.P.No.26837 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2023

CORAM:

**THE HONOURABLE MS JUSTICE R.N.MANJULA**

Crl.O.P.No.26837 of 2019  
and Crl.M.P.No.14301 of 2019

D.Vasanthi

...Petitioner

Vs.

State rep. by its,

1. The Inspector of Police,  
Poonamallee Police Station,  
Poonamallee,  
Chennai – 600 056.  
Crime No.1355 of 2018

2. Umamaheswari

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the proceedings of the FIR in Crime No.1355 of 2018 on the file of the Inspector of Police, Poonamallee Police Station, Chennai District and quash the same.

For Petitioners : Mr.M.Senthilkumar

For 1<sup>st</sup> Respondent : Mr.A.Gopinath,  
Government Advocate (Crl. Side)

For 2<sup>nd</sup> Respondent : Mr.S.Conscious Ilango



Crl.O.P.No.26837 of 2019

**ORDER**

This Criminal Original Petition is filed to quash the FIR in Crime No.1355 of 2018 on the file of the 1<sup>st</sup> respondent / Inspector of Police, Poonamallee Police Station, Chennai District.

2. On the complaint given by the 2<sup>nd</sup> respondent, it is alleged that the 2<sup>nd</sup> respondent was conducting a chit and for which the petitioner had introduced some subscribers who are her relatives. One Murugesan who is the uncle of the petitioner had joined her for Rs.10 lakhs chit. After taking the chit amount, the said Murugesan did not pay the subscription and in this manner, there is a due of Rs.10 lakhs to be payable by him. The petitioner was working as an agent in the 2<sup>nd</sup> respondent company. But after filing the criminal case, she left the job and changed her residence without intimation.

3. The learned counsel for the petitioner submitted that there is no overt act as against her and the real culprit is Murugesan and the proceedings as against the petitioner, should be quashed.

4. The learned Government Advocate (Crl. Side) appearing for the 1<sup>st</sup>



respondent submitted that the petitioner was working as an agent of the 2<sup>nd</sup> respondent chit company. All of a sudden she had shifted her residence and her conduct is suspicious and hence investigation should be allowed to continue.

5. It is true that Murugesan is one of the subscribers to a heavy chit of Rs.10,00,000/-, he was not implicated as an accused. Only if the investigation is allowed to go on, all the accused who are involved in the offence can be brought into light. Despite the case has been registered in the year 2018, so far the investigation has not been completed. Only if the investigation is allowed to go, the real overt act of each of the subscriber who had joined the chit conducted by the 2<sup>nd</sup> respondent can come to light. By taking into consideration of the huge delay involved in the process of investigation, I feel it is appropriate to direct the 1<sup>st</sup> respondent Police to complete the investigation and do the needful in accordance with law within a period of three months from the date of receipt of a copy of this order.

6. It is to be noted that the petitioner herself has given her



Crl.O.P.No.26837 of 2019

representation to the Commissioner of Police, Chennai not to harass her for the amount due to be paid by the said Murugesan. Hence, the 1<sup>st</sup> respondent Police has to take into consideration of the entire circumstances of the case including the grievance of the petitioner while conducting investigation and the final report should reflect the fair investigation.

7. With the above direction, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

**05.01.2023**

vum  
Index:yes/No  
Speaking order / Non speaking order

**To**

1. The Inspector of Police,  
Poonamallee Police Station,  
Poonamallee, Chennai – 600 056.
2. The Public Prosecutor,  
Madras High Court,  
Chennai.



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**R.N.MANJULA,J.**

vum

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