



WEB COPY



Crl.O.P.No.22368 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

**Crl.O.P.No.22368 of 2023
and Crl.M.P.No.15638 of 2023**

1.M.Sathishkumar
2.P.Muthuvel
3.S.Yogambal
4.Valarmathi
5.Ragunath

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Central Crime Branch, EDF III
Avadi Commissionerate, Chennai.
(Cr.No.43/2023)

2.Abbas Ali

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the proceedings in FIR pending in Crime No.43 of 2023 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.M.Sasikumar

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side) for R1



Crl.O.P.No.22368 of 2023

ORDER

WEB COPY

The petition to quash the FIR registered in Cr.No.43 of 2023 on the file of the first respondent police.

2. According to the petitioners, A1 Aneesh Nair is the Zonal Manager of Nayara Energy Limited and A2, the first petitioner herein, is a contract labourer under A1. The rest of the petitioners 3, 4, 5 and 6 are the relatives of A1. On the request of A1, the bank account was used for the transfer of money, except lending their account, their innocence, and no way connected with the alleged crime. However, the complaint indicates that the defacto complainant, who is an agent for Nayara Energy Limited was promised a lucarative discount under Fleet Plus Scheme, but the concessional benefit did not accrue to him and was siphoned away by A1 and its associates.

3. The learned Government Advocate (Crl.Side) submits that the contract between the Nayara Energy Limited and the defacto complainant already terminated as the first accused has resigned from the post of Zonal



Crl.O.P.No.22368 of 2023

Manager of Nayara Energy Limited. The allegation in the complaint is under investigation. Whether the accounts of this petitioner were misused by A1 without their knowledge and intention or otherwise can only be ascertained only after the completion of the investigation.

4. Considering the submissions, this Court finds that interfering in the investigation process and quash the FIR at this stage is not legally permissible. It is for the respondent police to complete the investigation and proceed if any incriminating material is available sufficient to take cognizance of the offence. Therefore, this petition to quash is disposed of with a direction to the respondent police to complete the investigation within a period of two months and file a final report.

5. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

04.10.2023

drl

3/4



WEB COPY



Crl.O.P.No.22368 of 2023

DR.G.JAYACHANDRAN, J.

dr1

To

- 1.The Inspector of Police,
Central Crime Branch, EDF III
Avadi Commissionerate, Chennai.

- 2.The Public Prosecutor,
High Court, Madras.

**Crl.O.P.No.22368 of 2023
and Crl.MP.No.15638 of 2023**