



Crl.O.P.No.25695 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.12.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25695 of 2023
and Crl.M.P. No.17825 of 2023

Selvam

... Petitioner

-VS-

The State
Rep. by The Inspector of Police
(Crime Section),
B3 Fort Police Station,
Chennai 600 009.

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records and quash the criminal proceedings as against the petitioner in C.C. No.510 of 2023 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai.

For Petitioner

: Mr.G.Prabhakar

For Respondent 1

: Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)

ORDER



CrI.O.P.No.25695 of 2023

WEB COPY

On 11.09.2019, one Dhasarathan, attempt to self immolate himself before the Collector Office, Krishnagiri and he was saved by the Public and Police. On information, it was found that one Rajamuruga Babu and Jayalakshmi, collected lakhs of rupees from him, promising to get him a job as Assistant Grade III, Food Corporation of India had cheated him.

2. The Police on registering the FIR on 23.01.2022 in Crime No.10 of 2022 started the investigation, the chain of investigation has led the confession statement by this petitioner by name Selvam stating that he is working as a Pharmacist in Krishnagiri Government Hospital and he had acquaintance with one Jayalakshmi, Junior Assistant working in Government Girls Higher Secondary School, Madhaiyapatti. She had introduced one Nixon, who was informed as a person, who can arrange for Government job. In the said circumstances, he had taken one Silambarasan and Sagadevan to one Nixon, money has been paid, but job could not be secured. On completion of investigation, based on the



Crl.O.P.No.25695 of 2023

WEB COPY

statement given by Dhasarathan, who has initiated the criminal process and the statements of Silambarasan and Sagadevan, coupled with the confession statements of Selvam, who is the petitioner herein, prosecution has completed the investigation and filed final report.

3. The learned counsel appearing for the petitioner/ 5th accused Selvam contended that in the FIR, the petitioner's name is not known and most of the witnesses not spoken about this petitioner. Even the alteration report does not speak about any overtact of this petitioner. Therefore, the final report against him has to be quashed.

4.This Court finds that the submissions made by petitioner is shallow, falls under settled principles of law and cannot be countenanced. FIR is not encyclopedia of all the offences, it is only the trigger which initiate the process of investigation. When the persons who have given the money to this petitioner had spoken about the overtact of the petitioner and the confession statement of the petitioner, provides prima



CrI.O.P.No.25695 of 2023

WEB COPY

face material to prosecute him for alleged offence of cheating, enticing the gullible persons who need job. It is not a case to quash but expedite the trial as early as possible and bring the culprits for necessary action.

5. The learned counsel is not clear about the law and the power under Section 482 of Cr.P.C and seeks to quash the complaint and therefore, repeatedly wants to make his argument, forcing the Court to read the statement of the witnesses and evidence to conduct a mini trial.

6. With the above observation, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed.

14.12.2023

Index : Yes/No
Neutral Citation : Yes/No
rkp



WEB COPY



CrI.O.P.No.25695 of 2023

To

- 1.The VII Metropolitan Magistrate Court,
George Town, Chennai.
- 2.The Inspector of Police
(Crime Section),
B3 Fort Police Station,
Chennai 600 009.
- 3.The Public Prosecutor,
Madras High Court, Madras.



WEB COPY



Crl.O.P.No.25695 of 2023

Dr.G.JAYACHANDRAN, J.
rkp

Crl.O.P.No.25695 of 2023
and crl.M.P. No.17825 of 2023

14.12.2023