



CrI.O.P.(MD)No.14521 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.14521 of 2023

and

CRL.M.P.(MD)No.11420 of 2023

The Eastern India Retail Industries,
its Proprietor Shyam Sundar
Door No.4, Suruchi Complex,
Niladri Vihar Main Road,
Near Green Villa Guest House,
Bhubaneswar,
Odisha.

... Petitioner / Accused Rank Not Known

Vs.

1.The Inspector of Police,
City Cyber Crime, CCD III,
Madurai City, Madurai District,
Crime No.21/2023.

... 1st Respondent / Complainant

2.S.Vivek

... 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying this Court to call for the records in FIR in Crime No.21 of 2023, dated 11.06.2023 pending on the file of the City Crime Branch, Madurai District and quash the same as illegal.



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For Petitioner : Mr.B.Sargunam
For R1 : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking quashment of the FIR in Crime No.21 of 2023 dated 11.06.2023 pending on the file of the respondent No.1 police.

2.According to the learned counsel for the petitioner, a complaint was given by the defacto complainant against Veronica alleging that the said Veronica has cheated the defacto complainant, on which a case has been registered against her in Crime No.21 of 2023 for the offences punishable under Sections 420 IPC and Section 66D of the Information Technology (Amendment) Act, 2008. It is submitted by the learned counsel that the petitioner has not filed any document to show that the petitioner is the Proprietor of the Eastern India Retail Industries. It is submitted that the allegation of the defacto complainant is against Veronica, who is noway connected with Eastern India Retail Industries. It is submitted that there is no complaint against the petitioner, by name, Shyam Sundar.



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3.The learned Government Advocate (CrI.side) submits that the original name of Veronica is Pragnya Priyadharshini, who is the wife of Shyam Sundar. It is submitted further that the wife of the petitioner with the fake name, ie., Veronica has cheated the people including the defacto complainant.

4.When the Registry has raised objection at the time of numbering the petition, the petitioner has represented that Veronica is a unknown person to the petitioner and no such persons is working in the company and it is also mentioned that in the FIR, the accused name is wrongly mentioned.

5.In view of the above, the petitioner has no *locus standi* to file this application seeking quashment of FIR, in which the petitioner is allegedly noway connected. Accordingly, this Petition is dismissed. However, the petitioner is at liberty to approach this Court, in case if his name is mentioned in the charge sheet. Consequently, connected Miscellaneous Petition is closed.

17.08.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No

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To

- 1.The Inspector of Police,
City Cyber Crime, CCD III,
Madurai City, Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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