



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.2103 of 2024
and CRL.M.P No.1528 of 2024

Friends Sports Club
Rep. by its Joint Secretary Mr.Sathya
Office at No.28/60, Ekambaram Street,
Korukkupet,
Chennai – 600 021.

2.Sudhakar

... Petitioners

Vs.

1.The Inspector of Police,
H4 Korukkupet Police Station,
Korukkupet, Chennai.
(Crime No.210 of 2023)

2.Krishnaraj
The Inspector of Police
H5 New Washermenpet Police Station,
Chennai-21

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.210 of 2023 on the file of the respondent police and quash the same.



For Petitioner

: Mr.R.John Sathiyam
Senior Counsel for
Mr.M.K.Yukanth

For Respondents

: Mr.A.Damodaran
Additional Public Prosecutor for R1

ORDER

This criminal original petition has been filed to quash the FIR in Crime No.210 of 2023 pending on the file of the respondent police.

2.The main ground that was urged by the learned Senior Counsel appearing on behalf of the petitioner is that the entire prosecution is attended with malafides and that the petitioner is running the club without indulging in any illegal activities and that the members of the Club were only playing rummy which is a game of skill and whereas, it has been projected as if the members were playing three cards with stakes. The learned Senior Counsel relied upon the CCTV footages that are available in order to demonstrate that there is absolutely no evidence to show that the members were playing three cards with stakes. The learned Senior Counsel further submitted that the petitioner is willing to provide free access to the CCTV footages to the Investigation Officer. It was contended that ultimately, if the petitioner is involved in any illegal activity, proceedings can be initiated and whereas, if the Club is being run in a legal manner, the police cannot interfere with the running of the Club by foisting



a false case.

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3.The learned Additional Public Prosecutor submitted that the raid was conducted by the 2nd respondent and FIR was registered by the 1st respondent and that the incriminating materials were also seized by the 1st respondent. The learned Additional Public Prosecutor submitted that there is absolutely no bar in the police taking action if the club is involved in illegal activities.

4.Considering the nature of allegations that have been made against the respondents and also the materials that have been placed before this Court, the CCTV footages which were relied upon by the learned Senior Counsel appearing on behalf of the petitioner must be necessarily taken in to consideration during the course of investigation. Hence, this Court is inclined to transfer the investigation to the Assistant Commissioner of Police, Washermenpet Range and the investigation shall be monitored by the Joint Commissioner of Police (North). The Assistant Commissioner of Police, Washermenpet Range shall complete the investigation within a period of three months from the date of receipt of copy of this order and a final report or a closure report, as the case may be, shall be filed before the jurisdictional Court. This direction given by this Court will sufficiently take care of the grievance expressed by the petitioner.



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