



CRL.O.P.No.9510 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 22.04.2024**

CORAM:

**THE HON'BLE MR.JUSTICE M.DHANDAPANI**

**CRL.O.P.No.9510 of 2024**

**and**

**CrI.MP.No.6604 of 2024**

Senthil Kumar

... Petitioner

Vs.

1. State Rep.by  
Inspector of Police,  
DCB, Villupuram,  
Villupuram District,  
(Crime No.47 of 2022)

2. Mannulingam

.. Respondents

**PRAYER:** This Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records and quash the FIR in Crime No.47 of 2022 on the file of the respondent as far as this petitioner is concerned.

For Petitioner : Mr.A.N.Rajan

For R1 : Mr.K.M.D.Muhilan  
Government Advocate (CrI.Side)



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**ORDER**

**WEB COPY** This petition has been filed seeking to quash the proceedings in Crime No.47 of 2022 on the file of the respondent.

2. It is the case of the prosecution that the petitioner has invested Rs.24,00,000/- through his relatives and friends in Great India Trading Company. When he failed to repay the said amount, the de facto complainant made a complaint in Crime No.47 of 2022 as against the petitioner and other accused persons. Seeking to quash the same, the present petition has been filed.

3. The learned counsel for the petitioner submits that though the criminal case has been put against the petitioner, however, charge sheet has not been filed. In the absence of any charge sheet or investigation being concluded, initiation of criminal proceeding is *per se* unsustainable. Hence, he prayed this Court, to permit the petitioner to produce all the necessary documents before the Law Enforcing Agency enabling the petitioner to disprove the contents of the complaint and thereafter, the



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Law Enforcing Agency may be directed to conclude the same by referring the charge sheet in the manner known to law.

4. The learned Government Advocate (Crl.side) appearing for the first respondent Police fairly submitted that enquiry will be concluded after affording opportunity to the petitioner in the manner known to law.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent and perused the materials placed on record.

6. On a reading of FIR, there appears to be some materials for the investigation to proceed. Interfering with the investigation, which is at an infancy stage under Section 482 of the Code of Criminal Procedure, will be against the law laid down by the Supreme Court in ***State of Haryana and others vs. Bhajan Lal and others*** reported in ***1992 Supp (1) SCC 335***.



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7. Accordingly, this Criminal Original Petition stands dismissed.

However, liberty is granted to the petitioner to produce all the requisite documents enabling the first respondent police to conclude the investigation in Crime No.47 of 2022 after affording opportunity to the parties within a period of eight (8) weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

**22.04.2024**

Index: Yes/No

Internet: Yes/No

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WEB COPY **To**

1. The Inspector of Police,  
DCB, Villupuram,  
Villupuram District,  
(Crime No.47 of 2022)
2. The Public Prosecutor,  
High Court, Madras.



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**M.DHANDAPANI , J.**

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**22.04.2024**