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Crl.O.P.No.10319 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:31.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.10319 of 2024

and

Crl.M.P.No.7069 of 2024

Ramasaravanan

.. Petitioner

/versus/

1.State rep.by
Assistant Commissioner of Police,
Team-II,EDF-I, Central Crime Branch-1,
Vepery, Chennai 600 007.

2.Mahalingam.V.S.
(Crime No.49/2024)

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in FIR bearing Crime No.49 of 2024 on the file of the Team-II, EDF-I, CCB-1, Vepery, Chennai and quash the same.

For Petitioner

:Mr.V.Krishnamoorthy

For R1

:Mr.K.M.D.Muhilan,
Govt.Advocate (Crl.Side)

For R2

:Mr.N.Zahid Ahmed



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ORDER

The petitioner is the accused in Crime No.49 of 2024. The complaint alleging cheating to the tune to Rs.3,14,00,000/- has been made based on the complaint given by one Mahalingam.

2. The learned counsel appearing for the petitioner submitted that the entire reading of the complaint clearly shows that the business transaction between the complainant and the petitioner has been given criminal colour. Based on the falsehood complaint, First Information Report been registered as if the petitioner has cheated the complainant. The learned counsel appearing for the petitioner submitted that the entire allegation found in the complaint is totally false, particularly the allegation of selling 51 vehicles after pledging the RC books is absolutely contrary to the fact. The learned counsel also submitted that the vehicles are hypothecated to the IndusInd Bank and there is no necessity to pledge RC books with the complainant. Hence, he seeks to quash the complaint.

3. The learned counsel appearing for the defacto complainant



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submitted that to substantiate the complaint, he is ready to produce all the documents in the course of investigation.

4. This Court without adverting to the merits of the case, dismiss the quash petition for the investigating agency to conduct investigation in the manner known to law and arrive at the conclusion regarding the allegation made in the complaint.

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

31.07.2024

Index:yes/no
Neutral Citation:yes/no
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To:

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1.The Assistant Commissioner of Police, Team-II,EDF-I, Central Crime Branch-1, Vepery, Chennai 600 007.

2.The Public Prosecutor, High Court,Madras.

DR.G.JAYACHANDRAN,J.



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