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Crl.O.P.No.16916 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2024

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.16916 of 2024
and Crl.M.P.No.10179 of 2024

C.Premnath

.... Petitioner

Versus

1. The State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Avadi.

2. Ramya

.... Respondents

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.7 of 2024 dated 08.04.2024 pending on the file of the first respondent and quash the same in so far the accused is concerned.

For Petitioner : Mr.K.Nagarajan

For 1st Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

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ORDER

The present Criminal Original Petition is filed to quash F.I.R.No.9 of 2024 dated 08.04.2024 registered against this petitioner for the alleged offence under Sections 417 and 376 of I.P.C.

2. The learned counsel appearing for the petitioner states that the complainant borrowed a sum of Rs.3,00,000/- from this petitioner and when he demanded back the money, a false complaint of cheating and rape been made and the same is taken up for investigation.

3. The learned Government Advocate (Crl.Side) states that the matter being investigated and a report of the medical examination is awaited. Since *prima facie* evidence is available to register the complaint for investigation, the Police has registered the case and the investigation is in progress.



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4. Considering the nature of the allegation made against this petitioner and the statement made by the learned Government Advocate (Crl.Side), this Court finds that it is not a case to interfere under Section 482 of Cr.P.C. and quash without investigation. Hence, the Criminal Original Petition is dismissed. It is open to the petitioner to challenge the final report if there is no material in the final report for commission of cognizable offence.

19.07.2024

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To

1. The Inspector of Police,
All Women Police Station,
Avadi.
2. The Public Prosecutor,
High Court of Madras, Chennai.



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DR.G. JAYACHANDRAN, J.

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19.07.2024