



WEB COPY



CrI.O.P.No.13850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.13850 of 2023
& CrI.M.P.No.8534 of 2023

Mr.Prithviraj @ Bharat Parikh

Aged about 78 years

S/o.Somchand Parik,

Chairman and Director of

East Coast Steel Limited

Having registered office at Flat No.A-123, Royal Den Apartments,

No.16, Arul Theson Street, Palaniraja Udayar Nagar,

Lawspet, Puducherry – 605 008

and Having corporate office at Mittal Tower,

'A' Wing, 16th Floor, Nariman Point,

Mumbai – 400 021.

... Petitioner/Accused

/versus/

1. State Represented by

The Inspector of Police,

CB CID Police Station,

Puducherry – 605 005.

...Respondent

2. Suresh Kumar Jalan,

C/o Servo Packaging Limited,

88/1, Pondy Cuddalore Main Road,

Manapet Post, Kattukuppam,

Puducherry – 607 402.

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C.,
to call for the records connected with FIR No.6 of 2023 pending on the file of
the Inspector of Police, CB CID Police Station, Puducherry, 1st respondent and



CrI.O.P.No.13850 of 2023

quash the same.

WEB COPY

For Petitioner : Mr.R.Sankaranarayanan, Senior Counsel,
for Mr.N.P.Vijay Kumar.

For R1 : Mr.K.S.Mohan Das,
Public Prosecutor, Puducherry.
Assisted by Ms.N.Dhanalatchoumy

For R2 : Mr.K.Jayachandar

ORDER

This Criminal Original Petition is filed by the accused to quash the F.I.R No.6 of 2023 on the file of 1st respondent police.

2. This Court, on 20.06.2023 directed the police to proceed with the investigation but filing of final report alone was stayed.

3. In the meanwhile, the Petitioner/Inspector of Police, CBCID, Puducherry has filed CrI.M.P.No.10921 of 2024 seeking permission to file Referred Charge Sheet since their investigation has led to a conclusion that the complaint is mistake of fact and civil in nature.

4. The Learned Counsel appearing for the 2nd respondent/defacto complainant states that on a perfunctory investigation, Referred Charge sheet



CrI.O.P.No.13850 of 2023

without proper consideration of the material placed before the Investigating Officer been filed.

5. This Court is of the view that if the defacto complainant has any grievance regarding referred charge sheet, it is open to him to file protest petition before the concern Magistrate and work out his remedy.

6. As far as the case in hand is concerned, without advertng to the merits of the quash petition, taking note of the fact that the police has completed the investigation and ready with report, it is appropriate to permit them to file referred charge sheet before the concern Judicial Magistrate, for the Court to take note of it and proceed in the manner known to law, after serving notice to the defacto complainant.

7. With this observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

31.07.2024

Index : Yes/No.
Neutral Citation : Yes/No.
bsm



CrI.O.P.No.13850 of 2023

Copy to:-

1. The Inspector of Police, CB CID Police Station, Puducherry – 605 005.
2. The Public Prosecutor (Puducherry), Madras.



WEB COPY



CrI.O.P.No.13850 of 2023

Dr.G.JAYACHANDRAN,J.

bsm

CrI.O.P.No.13850 of 2023

31.07.2024