



WEB COPY



CrI.O.P.No.16267 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.16267 of 2024

Balamurugan

... Petitioner

Vs.

The Inspector of Police,
CBCID Metro-Chennai
CBCID-Head Quarters,
Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the respondent to take petitioner's complaint on file and add him as one of the witness in connection with Crime No.2 of 2021 on the file of the respondent police and to file charge sheet by considering the petitioner's representation dated 02.06.2024.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER

The petitioner herein seeks indulgence of this Court to add him as one of the witnesses in Crime No.2 of 2021 on the file of the respondent police which is under investigation.



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2. The contention of the petitioner is that Crime No.2 of 2021

which is under investigation by CBCID is in connection with cheating public by promising job in the Court. The prime accused in the case is one Mahalakshmi. The petitioner herein claims that he is also one of the victims to the handi work of the said Mahalakshmi and therefore, he must be added as a witness in the said case. He has also given a written representation on 02.06.2024 to the Inspector of Police, CBCID disclosing certain facts about how he met said Mahalakshmi and paid money to secure job for his wife.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioner herein is infact accused in Crime No.389 of 2023, Andipatti Police Station, wherein he has adopted similar *modus operandi* as Mahalakshmi done. He has cheated 56 persons to the tune of Rs.3,05,45,000/- . To torpedo the investigation in the earlier case against Mahalakshmi, as well as the current case against him, he has made a representation after three years of the registration of FIR to include his as a witness and therefore, this petition has to be dismissed. He further submits that in the earlier case in Crime



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No.02 of 2021, the petitioner was earlier suspected to be one of the accused. He obtained anticipatory bail from this Court. This petition is filed with ulterior motive to dilute the case against Mahalakshmi by planting contra facts.

4. This Court after perusing the record finds that the attempt of the petitioner herein is only to distract the investigation and fabricate material evidence to torpedo the investigation in Crime No.2 of 2021 as well as Crime No.389 of 2023. This Court finds malafide in this petition. Hence this Criminal Original Petition is dismissed.

11.07.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Inspector of Police,
CBCID Metro-Chennai
CBCID-Head Quarters,
Chennai.

2.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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