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Crl.O.P.No.18443 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 21.10.2024

CORAM:

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.18443 of 2022

and

Crl.M.P.No.12178 of 2022

K.Ramesh

... Petitioner/A2

Versus

1.The Inspector of Police,
Reddiarpalayam Police Station,
Puducherry.

2.S.Tamilselvi

... Respondents

PRAYER : Criminal Original petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the F.I.R. in Crime No.90/2022 dated 16.07.2022, on the file of Inspector of Police, Reddiarpalayam Police Station, Puducherry and quash the same.

For Petitioner : Mr.B.Balavijayan

For Respondent-1 : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)
Assisted by
Ms.N.Dhanalatchumy

For Respondent-2 : No appearance



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ORDER

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This petition has been filed seeking to quash the F.I.R. in Crime No.90 of 2022 dated 16.07.2022, on the file of Inspector of Police, Reddiarpalayam Police Station, Puducherry.

2.The learned counsel appearing for petitioner submitted that the respondent police have registered a false case against the petitioner for offences under Sections 468, 471, 420 of I.P.C. r/w Section 34 of I.P.C. based on the false complaint given by the de-facto complainant. Already the petitioner deposited the amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the credit of Crime No.90 of 2022 as per the directions of this Court. There is no specific allegations levelled against the petitioner, even as per the F.I.R. no case is made out against the petitioner. Therefore, he prayed to quash the F.I.R. pending against the petitioner.

3.The learned Public Prosecutor (Puducherry) appearing for the first respondent police submitted that already the respondent police issued



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notice to the petitioner under Section 41-A of Cr.P.C. The petitioner has not appeared before the respondent police and there are specific allegations as against this petitioner. Investigation in this case is at the initial stage. Therefore, prayed to dismiss the petition.

4. Considering the representation made by both sides and also considering the fact that the case is now at the initial stage of investigation, it is for the respondent police to conduct fair investigation and to file final report based on the materials. If any positive final report is filed as against this petitioner, he is at liberty to challenge the said final report in accordance with law. Since he deposited a sum of Rs.25,00,000/- before the Court to the credit of Crime No.90 of 2022 based on the order of this Court, he is at liberty to approach this Court after filing of final report by the 1st respondent police.

5. This Court, on 21.02.2024, had granted interim protection to the petitioner. Therefore, the interim protection already granted by this Court is



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extended for a period of one month from the date of receipt of a copy of this

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order. In the meantime, the petitioner is at liberty to approach the appropriate

Court for bail in accordance with law, if it is necessary.

6. With the above observations, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

21.10.2024

Index : Yes / No

Internet : Yes/No

Neutral citation : Yes/No

Speaking / Non-speaking order

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To

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1.The Inspector of Police,
Reddiarpalayam Police Station,
Puducherry.

2.The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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and Crl.M.P.No.12178 of 2022

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