



CrL.OP.No.15598 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrL.OP.No.15598 of 2024

and

CrL.MP.No.9523 of 2024

Sunitha

... Petitioner

Vs.

1. State Rep By

Inspector of Police,
Saibaba Police Station,
Coimbatore,
(in Cr.No.65 of 2024)

2. Nikson

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for records in Cr.No.65 of 2024, on the file of the respondent police and quash the proceedings.

For Petitioner : Mr.G.R.Deepak

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (CrL.Side)

ORDER

This Criminal Original Petition is filed to quash the Cr.No.65 of 2024 on the ground that the money transaction between the parties have



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led to filing of criminal compliant under Section 138 of Negotiable Instruments Act against the husband of the petitioner. While so, just to harass the defacto complainant, she has been arrayed as an accused in the complaint registered on 14.03.2024 for offence under Sections 406, 420 and 120B of IPC.

2. This Court on perusing the FIR finds that the allegation of inducement by deceit by this petitioner and her husband by offering their property is clearly made out and alleged that around sum of Rs.45,00,000/- been received by this petitioner and her husband, but, the money not returned neither the property sold, the property transferred to the name of the petitioner.

3. It is for the investigation agency to verify the content of the complaint and file final report if any commission of cognizance of offence is made out.

4. The contention of the learned counsel for the petitioner that there is no material to enquire the petitioner for the offence under Sections 406, 420 of IPC is preposterous. Unless, the police is permitted



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to complete the investigation, no conclusion could be arrived at, regarding the veracity of the complaint which on the face of it discloses cognizable offence.

5. In view of the above, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

31.07.2024

Vv

To

1. The Inspector of Police,
Saibaba Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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