



Crl.O.P.No.15611 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:03.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Criminal Original Petition No.15611 of 2024

and

Crl.M.P.No.9538 of 2024

1.Rajendiran

2.Kalayarasi

.. Petitioners

/versus/

1.The State Represented by
Inspector of Police,
Thirumullaivoyal Police Station,
Avadi, Thiruvallur District.
(Crime No.277 of 2024)

2.Bhanumathi

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records relating to FIR in Crime No.277 of 2024 on the file of 1st respondent police and quash the same.

For Petitioners

For R1

For R2

:Mr.S.Arivazhagan

:Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)

:Mr.S.Biju



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ORDER

This Criminal Original Petition is filed to quash the Crime Number 277 of 2024 registered for the offence under Section 420 of IPC.

2. The petitioners submit that a pure civil transaction has been given a criminal colour as if the petitioners had deceived the complainant by not paying the money borrowed. Infact, the petitioners had executed a pro-note and borrowed the money to meet out their daughter marriage expenses. Due to certain circumstances, they are not able to repay it. Instead of resorting to civil remedy, the complaint been given with the criminal colour. Hence, they seeks to quash the complaint.

3. The defacto complainant entered appearance through a counsel and opposed to allow the petition.

4. The learned Government Advocate (Crl.Side) appearing for the 1st respondent submitted that apparently the complaint indicates that



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it is the civil dispute arising out of money transaction, there is antecedent of the first petitioner/accused, who has involved in similar activity and case has been registered in Crime No.93 of 2020 before the Central Crime Branch. The present complaint was forwarded by the Metropolitan Magistrate by entertaining the petition under Section 156(3) of Cr.P.C to the first respondent and same has been registered and taken up for investigation. The learned Government Advocate (Crl.Side) submitted that the investigation will be completed within a period of one month and if any cognizable offence is made out, report will be filed accordingly.

5. With the above observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

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Index:yes/no
Neutral Citation:yes/no
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To:

- 1.The Inspector of Police, Hosur Town Police Station, Krishnagiri District.
- 2.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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