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Crl.O.P.No.20071 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20071 of 2022

Crl.M.P.No.13198 of 2022

1.Selvin

2.Rani

3.Gopi

... Petitioners

Versus

1.State of Tamil Nadu
Rep by Inspector of Police
Veeraganur Police Station
Salem District

2.Suresh

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for records in Cr.No.118 of 2022 dated 13.07.2022 pending on the file of the 1st respondent and quash the same.

For Petitioner : Mr.D.Dayalan

For Respondent : Mr.S.Vinoth Kumar for R1
Government Advocate (Crl.Side)
No appearance for R2



CrI.O.P.No.20071 of 2022

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ORDER

This Criminal Original Petition has been filed seeking to call for records in Cr.No.118 of 2022 dated 13.07.2022 pending on the file of the 1st respondent and quash the same.

2. The petitioners are the named accused in Cr.No.118/2022. Based on the complaint given by the defacto complainant against all the three petitioners, the FIR was registered for the offences under Sections 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, 448 and 506(1) of IPC. As per the allegations in the FIR, the first petitioner is running a finance and lending the loan for exorbitant rate of interest. While so, the defacto complainant participated in the chit conducted by the first petitioner and also borrowed loan. The defacto complainant has mortgaged the property and even after repayment of the mortgage loan, the property has not been handed over. Furthermore, they attempted to committed suicide due to the harassments made by the petitioners. Hence, the complaint.

3. Admittedly, now a civil suit is filed in O.S.No.158 of 2022 before the learned Subordinate Judge, Attur at Salem District. If at all any attempt to



CrI.O.P.No.20071 of 2022

commit suicide is made by the defacto complainant, it is subject to the investigation, hence, at this stage, this Court is of the view that the investigation is only at a premature stage and is not inclined to quash the proceedings.

4. Accordingly, this petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.02.2024

dhk

To

1.The Inspector of Police
The State of Tamil Nadu
Veeraganur Police Station
Salem District

2.The Public Prosecutor,
Madras High Court, Chennai

T.V.THAMILSELVI, J.

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