



WEB COPY



CrI.O.P.No.18973 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No. 18973 of 2023

and

CrI.M.P.Nos.12680 of 2023 and 12276 of 2024

1. Prithvi Krishnan
2. Kavitha Krishnan

... Petitioners

Vs.

1. State by
Inspector of Police,
Chetpet Police Station,
Chennai, Crime No.120 of 2022.

2. S.Ramesh
Power Agent of Mr.S.Ravi
S/o.Sangameswaran
Flat No.L1, Alsa Crescent
Alsa Gardens, No.58, Harrington Road,
Chetpet, Chennai – 600 031.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records relating to Crime No.120 of 2022 on the file of the respondent-Police and quash the same.

For Petitioners : Mr.C.P.Palanichamy

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)
for R1



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Mr.Abdul Hameed
Senior Counsel for
Mr.N.Kumaran for R2

ORDER

This Criminal Original Petition is filed to quash the F.I.R. in Crime No.120 of 2022 on the file of the Chetpet Police Station, Chennai registered for the offences under Sections 465, 468, 471 and 420 of IPC.

2. The petitioners, who are arrayed as A4 and A3, have come before this Court stating that they are no way connected with the offences which are alleged in the complaint. As far as the first petitioner is concerned, who was shown as A4, he has nothing to do with the transactions whatsoever, except being a relative Sunitha against whom the allegations are made. As far as the second petitioner is concerned, it is contended that she was a witness to a document and that document was later cancelled, and it has no relevancy to the case under investigation. Anyhow, both the petitioners are being arrayed as accused to wreak vengeance against them.

3. Learned Government Advocate (CrI.Side) appearing for the first



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respondent-Police submits that in view of the order of this Court dated 23.08.2023, the final report should not be filed till the disposal of this Criminal Original Petition, the first respondent-Police is unable to proceed further. If the investigation discloses that these petitioners had no role to play in the alleged crime and their names will be dropped in the final report.

4. Learned Senior Counsel appearing for the second respondent submits that the second respondent filed an application for vacating the interim order and submits that though there was no stay of investigation, the respondent/Police had not proceeded with the investigation, as a result, the property was subsequently encumbered.

5. Taking note of the fact that the innocence of the petitioners herein can be ascertained only if the investigation be permitted to be conducted and reach finality, the interim order will only lead to the effacement of evidence and complicate the rights of the true owner. Therefore, this Criminal Original Petition is disposed of, directing the first respondent-Police to expedite the investigation and complete the trial within a period of two months and file the final report. If these petitioners



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are anyhow aggrieved by the final report, it is open to them to agitate the same in the manner known to law. Accordingly, the interim order dated 23.08.2023 is vacated.

6. Learned Senior Counsel appearing for the second respondent further states that in respect of the property in question, yet another dubious transaction is being done, which has come to the notice of the Sub Registrar and a complaint has been given to the CCB taking into consideration the investigation of this case.

7. Learned Government Advocate (CrI.Side) states that registration of the complaint of Sub-Registrar has already been brought to the notice of the Investigating Officer. Hence, in the final report, the said fact will also be encompassed.

13.09.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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WEB COPY

- To
1. The Inspector of Police,
Chetpet Police Station,
Chennai.
 2. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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