



Crl.O.P.No.24948 of 2024
& Crl.M.P.No.14012 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:21.10.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24948 of 2024
& Crl.M.P.No.14012 of 2024

Nagajothi, Assistant Manager, IOB Bank,
24/595A, Anna Nagar,
Palamarathupatti EB Office Back Side,
Ponnagram, Balakrishnapuram,
Dindigul, Now at 162/6, Thilakar Nagar,
Mettupalayam.

.. Petitioner/
1st Accused

/versus/

1.State
Rep.by the Special Sub-Inspector of Police,
District Crime Branch,
Coimbatore.
(Cr.No.14/2023 dated 08.05.2023
U/s 406, 420, 120B, 34 IPC)

.. 1st Respondent/
Complainant

2.Shri.Muhammed Yasin
S/o Shri.Jamaludeen,
No.1/3A, Meenakarai Road,
Ambarampalayam Village (P.O)
Annamalai Taluk, Coimbatore.
(Cause title as found in the impleaded FIR)

..2nd Respondent/



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Defacto Complainant

Criminal Original Petition has been filed under Section 528 of BNSS to call for records and quash the FIR in Crime No.14 of 2023 dated 08.05.2023 on the file of the Special Sub Inspector of Police, District Crime Branch, Coimbatore as against the petitioner.

For Petitioner :Mr.B.A.Sujay Prasanna
For R1 :Mr.K.M.D.Muhilan
Govt. Advocate (Crl.Side)

ORDER

This petition is filed to quash the complaint registered in Crime No.14 of 2023, pursuant to the direction of the Magistrate under Section 156(3) of Cr.P.C.

2.The learned counsel appearing for the petitioner states that the order directing investigation by the Magistrate under Section 156(3) of Cr.P.C., is bereft of details and non application of mind. He further submitted that Sections 406 and 420 of IPC cannot co-exist in the light of the facts narrated in the complaint.



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3.The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that pursuant to the direction of the Magistrate, case was registered in crime No.14 of 2023 dated 08.05.2023 and the investigation is at the final stage. As the Magistrate directed the investigation agency to take necessary action, if needed in this regard and to file a report within 30 days from the communication of that order. Necessary steps to be taken to expedite the investigation and file final report within the reasonable time.

4. Recording the same, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

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Index:yes/no
Internet:yes/no
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To:

- 1.The Special Sub Inspector of Police, District Crime Branch,Coimbatore.
- 2.The Special Sub-Inspector of Police, District Crime Branch, Coimbatore.
- 3.The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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