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Crl.O.P.No.25023 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.25023 of 2024 and

Crl.M.P.No.14053 of 2024

1. K.A.Sampath Rajan
2. M.Shanmugam
3. A.John

... Petitioners

Vs.

1. The State rep. by
The Inspector of Police
Economic Offence Wing, Vellore, Vellore District

2. The Deputy Registrar
Housing Board
Office at No.873, 1st Floor
Kangeyanallore Road, Pallavan Bank upstairs
Katpadi Village

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the entire records in respect of the FIR registered by the 1st respondent/ Inspector of Police, Economic Offence Wing, in Crime No.3 of 2024 dated 22.07.2024 and quash the same.

For Petitioners	: Ms.R.T.Sundari
For 1 st Respondent	: Mr.S.Sugendran
	Additional Public Prosecutor

**ORDER**

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This Criminal Original Petition has been filed by the petitioners to quash the FIR in Crime No.3 of 2024 dated 22.07.2024, registered by the 1st respondent against the petitioners and others.

2. The learned counsel for the petitioners submitted that, the Co-Operative Tribunal/Principal District Court, Vellore District, on finding that there is no misappropriation of fund, set aside the surcharge order passed by the 1st respondent and the petitioners were exonerated from the surcharge proceedings in C.T.A.C.M.A.Nos.101 to 103 of 2023 vide order dated 31.07.2024. Therefore, there is no prima facie material and hence, the FIR is liable to be quashed.

3. The learned Additional Public Prosecutor appearing for the 1st respondent submitted that the District Registrar, Housing Board Society lodged the complaint against the petitioners and others on 22.07.2024 and based on which, the FIR in Crime No.3 of 2024 was registered against 6 persons and during the course of investigation, they have collected all the



documents and now the investigation is under progress. Hence, he prayed for dismissal of this petition.

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4. Heard both sides and perused the materials available on record.

5. It is seen that based on the complaint given by the the District Registrar (Housing Board), the FIR has been registered against the petitioners and others. Now the investigation is under progress and that there are prima facie allegations in the FIR. Though the FIR is not an Encyclopedia, the truth can be unearthed only after the investigation. Since the investigation is under progress, this Court is not inclined to quash the FIR.

6. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

7. Further, the respondent police is directed to complete the investigation and file charge sheet within a period of three months from the date of receipt of a copy of this order.

04.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To
1. The Inspector of Police
Economic Offence Wing
Vellore, Vellore District

2. The Public Prosecutor,
High Court of Madras.



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P.VELMURUGAN. J.

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