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Crl.O.P.No.25316 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.25316 of 2024

and

Crl.M.P.No.14188 of 2024

Manikandan

... Petitioner

Vs.

1. The State Represented by
The Inspector of Police,
Kallukurichi Police Station,
Kallukurichi District.

2. R.Muniyan

3. K.Ramesh

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS to call for the records and to quash the impugned F.I.R in Crime No.656 of 2024 on the file of the Kallkurichi Police Station, Kallakurichi District dated 12.09.2024.

For Petitioners : Mr.V.Balasubramani

For R1 : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for the records and to quash the impugned F.I.R dated 12.09.2024 in Crime No.656 of 2024 on the file of the Kallkurichi Police Station, Kallakurichi District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent police and perused the materials available on record.

3. It is the contention of the petitioner that the *de facto* complainant borrowed money from the petitioner for purchase of tractor. Since he did not repay the amount dues, the petitioner seized the vehicle. At this juncture, the defacto complainant made a false complaint as against the petitioner before the respondent police. Even without paying the instalment amount, with the help of respondent police, the defacto complainant tried to get the tractor. It is purely a money dispute between the parties. Hence he prayed for quashing of F.I.R.



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4. Learned Additional Public Prosecutor appearing for the respondent police submitted that there are prima facie allegations available as against the petitioner. Hence he seeks dismissal of the above criminal original petition.

5. Admittedly F.I.R in Crime No.656 of 2024 has been registered for the offence under Section 420 IPC as against the petitioner and the same is pending. F.I.R is not an encyclopaedia and it sets the law in motion. It is for the Investigating Officer to unearth the truth by investigating the matter. This Court is not inclined to quash the F.I.R. The respondent police is directed to conduct investigation and complete the same as early as possible. The petitioner is also directed to extend his cooperation for the speedy disposal of the case in Crime No.656 of 2024.



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6. With the abovesaid direction, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

19.11.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Kallukurichi Police Station,
Kallukurichi District.
2. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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