



CrI.O.P.No.24929 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.24929 of 2024 and

CrI.M.P.No.13974 of 2024

A.Gokul

... Petitioner

Vs.

1. The State rep. by
The Inspector of Police
Economic Offence Wing
Tiruppur
(Crime No.1/2024)

2. Semalaiyappa Gounder

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the entire records of FIR in Crime No.1 of 2024 pending on the file of the respondent police and quash the same.



Crl.O.P.No.24929 of 2024

For Petitioner	: Mr.R.Sivakumar
For 1 st Respondent	: Mr.S.Vinoth Kumar Government Advocate (Crl. Side)
For 2 nd Respondent	: No Appearance

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to quash the FIR in Crime No.1 of 2024 pending on the file of the 1st respondent police.

2. The learned counsel for the petitioner submitted that the petitioner has been arrayed as A3 in Crime No.1 of 2024 alleging that the petitioner along with other accused introduced that they run a financial establishment under the name and style of Sri Sivaselvi Auto Finance and collected deposits of Rs.3,56,14,000/- from 39 depositors under the pretext of giving 18 % interest per annum in which, Rs.9,00,000/- was deposited by the defacto complainant and thereafter, they cheated the depositors. The learned counsel submitted that A1 alone had involved in the said business. The petitioner is the brother of A1



Crl.O.P.No.24929 of 2024

and he has nothing to do with the transaction. Even otherwise, the entire amount was settled to the depositors by A1 and that there is no due at all to any person. Hence, he prayed to quash the FIR.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is arrayed as A3 and he is none other than the brother of A1 and son of A2 and that the petitioner is also involved in the offence. The investigation is almost completed and they are yet to file the charge sheet and therefore, there is no need to quash the FIR.

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

5. A perusal of the records shows prima facie allegations. The involvement of the petitioner can be unearthed only after investigation.

6. Since there are prima facie allegations in the FIR itself, the petitioner is not entitled to the relief sought for.

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



CrI.O.P.No.24929 of 2024

8. The respondent police is directed to expedite the investigation and file charge sheet as early as possible and within a reasonable time.

13.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

ksa-2



CrI.O.P.No.24929 of 2024

To

WEB COPY

1. The Inspector of Police
Economic Offence Wing
Tiruppur
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.24929 of 2024

P.VELMURUGAN. J.

Ksa-2

CrI.O.P.No.24929 of 2024

13.11.2024