



CrI.O.P.No.24937 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.24937 of 2024 and

CrI.M.P.No.14008 of 2024

1. Savithiri

2. Jeevanandham

3. Mehshkumar

... Petitioners

Vs.

1. The State rep. by

The Inspector of Police

E1 Singanallur Police Station

Coimbatore City

(Crime No.549 of 2023)

2. C.Thangaraj

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the entire records pertaining to the Crime No.594 of 2023 on the file of the Inspector of Police, E1 Singanallur Police Station, Coimbatore City and quash the same.



Crl.O.P.No.24937 of 2024

For Petitioner : Mr.B.Kumarasamy

For 1st Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

For 2nd Respondent : Private Notice returned unserved
(unclaimed)

ORDER

This Criminal Original Petition has been filed by the petitioners seeking to quash the FIR in Crime No.594 of 2023 on the file of the 1st respondent.

2. The learned counsel for the petitioners submitted that the petitioners have been arrayed as accused in Crime No.594 of 2023 alleging that the 1st petitioner had received a sum of Rs.3 lakhs from the 2nd respondent/defacto complainant on the promise to return the same with 24% interest and thereafter failed to return the amount and when the same was questioned, the petitioners abused the 2nd respondent with filthy language and also attacked him with iron rod. He further submitted that a false case has been foisted against the



CrI.O.P.No.24937 of 2024

petitioners. Already a suit has been filed in O.S.NO.1407 of 2022 before the 3rd

Additional Sub-ordinate Judge, Coimbatore, for recovery of money based on the forged promissory note against the 1st petitioner and the same is pending.

Hence, he prayed to quash the FIR against the petitioners.

3. Notice sent to the private respondent, returned unserved as unclaimed.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the investigation is almost completed and the charge sheet will be filed shortly.

5. Heard and perused the materials available on record.

6. A perusal of the complaint shows that there are prima facie allegations against the petitioners. Therefore, the petitioners are 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.24937 of 2024

8. The respondent police is directed to file the 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.24937 of 2024

To

1. The Inspector of Police
E1 Singanallur Police Station
Coimbatore City
2. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.24937 of 2024

P.VELMURUGAN. J.

Ksa-2

CrI.O.P.No.24937 of 2024

13.11.2024