



WEB COPY



Crl.O.P.No.31878 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.31878 of 2022

and

Crl.M.P.No.19569 of 2022

Suresh

Vs.

... Petitioner

1.The Inspector of Police,
Tindivanam Police Station,
Villupuram District.
Crime No.223 of 2022

2.Muthaiyan
The VAO,
Thindivanam Taluk
Thindivanam Post,
Villupuram District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records and to quash the FIR in Crime No.223 of
2022, dated 13.06.2022, pending investigation on the file of the 1st
respondent.



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For Petitioners : Mr.R.Ganesan

For R1 : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner has filed this petition to quash the FIR in Crime No.223 of 2022 pending investigation on the file of the 1st respondent, for the offences under Sections 465, 468 and 471 of IPC, as against the petitioner.

2. The case of the prosecution is that the petitioner running E-Sevai centre without getting proper licence and illegally changed the address of Election Commission of India identity card. Therefore the VAO lodged a complaint against him. Based on the complaint lodged by the defacto complainant FIR has been registered in Crime No.223 of 2022 for the offences under Sections 465, 468 and 471 of IPC.

3. The learned counsel for the petitioner submitted that one Selvaraj S/o.Mannathan seems to have approached the office of the 2nd respondent and the VAO and Thiru. Muthiyann S/oVinoth Kumar functioning as a



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VAO in the office of the 2nd respondent on 13.06.2022 at about 11.30 a.m., and claimed to have submitted a computer developed Election Commission of India Identity card and also claimed to have changed his address in the said card and when the 2nd respondent and the defacto complainant questioned Selvaraj seemed to have stated that he has obtained the said Election commission of India Identity card with change of address through the petitioner shop and the officials of the respondents 1 & 2 and the defacto complainant came to shop on 13.06.2022 at about 12 noon and have without any authority closed and sealed the shop and have also taken away 3 numbers of CPU and 1 printer. He further submitted that the petitioner has been duly authorized by the Tamil Nadu Arasu Cable TV Corporation (a Government of Tamil Nadu undertaking) by its licence No.LR.No.8440/TACTV browsing centre /2017 dated 04.08.2000 with the password Cscari @ 123. He also submitted that he has been doing the above service with good reputation for the past 10 years without any complaint. Hence, he prays to quash the FIR in Crime No.223 of 2022.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondents submitted that the petitioner illegally changed the address in the Election Commission of India identity card. Therefore, the 2nd respondent / VAO gave a complaint against him. He further submitted that it is at the stage of FIR, it needs detail investigation. Hence, he vehemently opposed to quash the FIR.

5. Considering the submission made by the learned Government Advocate (Crl.Side), it needs detail investigation and the gravity of the offence committed by the petitioner, this Court is not inclined to quash the FIR.

6. Accordingly, this Criminal Original Petition is dismissed as no merits. Consequently, connected miscellaneous petition is closed.

31.01.2024

Index: Yes/ No

Neutral Citation: Yes/No

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To
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1. The Inspector of Police,
Tindivanam Police Station,
Villupuram District.
Crime No.223 of 2022
- 2.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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