



CrI.O.P.No.29045 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.29045 of 2024 and

CrI.M.P.No.16262 of 2024

Gokulraj

... Petitioner

Vs.

1. State rep. by Inspector of Police
Bank Fraud Prevention Squad-31
Central Crime Branch
Veppery, Chennai - 600 007
Crime No.294 of 2019

2. Bharath Kumar

... Respondents

Prayer: Criminal Original Petition filed under Section 428 of Cr.P.C./528 of B.N.S.S. praying to call for the records relating to the impugned FIR in Crime No.294 of 2019 dated 09.10.2019 on the file of the 1st respondent herein, quash the same.

For Petitioner

: Mr.Karthikeyan.P

For 1st Respondent

: Mr.S.Sugendran

Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.294 of 2019 dated 09.10.2019 on the file of the 1st respondent police.

2. The respondent police has registered the case in Crime No.294 of 2019 alleging that unidentified persons under the guise of calling from Bajaj Finance, Bank Bazaar, Mahindra Finance etc. and sanctioning loan at the lower rate of interest, collected bank details from the victims and thereafter, under the guise of processing the loan, received OTP numbers from them and thereafter, by using the same, transferred amounts from the account of the victims to their account. It is the contention of the petitioner that he is no way connected with the alleged offence and he has been falsely implicated in this case. Further, the name of the petitioner is not found in the FIR and even in the FIR itself, it is mentioned as unidentified persons.

3. The learned Additional Public Prosecutor submitted that on receipt of complaint regarding cheating by using fake call center, the respondent police



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investigated the matter and found that 31 accused are involved in the said crime and the petitioner was arrayed as A27. During the course of investigation, the petitioner was also arrested. The materials collected so far during the course of investigation shows prima facie against the petitioner.

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

5. Since no adverse order is being passed, notice to the 2nd respondent is dispensed with.

6. Though in the FIR it is mentioned as unidentified accused, the materials collected by the Investigating Officer so far, reveals that the petitioner is also involved in the crime mentioned in the FIR and therefore, the petitioner has been arrayed as an accused and he was also arrested. Now the investigation is pending. Hence, the petitioner is not entitled to the relief sought for.



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7. Accordingly, this Criminal Original Petition is dismissed.

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Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The Inspector of Police
Bank Fraud Prevention Squad-31
Central Crime Branch
Veppery, Chennai - 600 007
2. The Public Prosecutor
High Court of Madras.s



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P.VELMURUGAN. J.

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