



Crl.O.P.(MD)No.2982 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.2982 of 2024

and

Crl.M.P.(MD)No.2361 of 2024

1.Aravindkumar

2.Shobana

... Petitioners/Accused Nos.2 & 3

Vs.

1.The State Rep. by

The Inspector of Police,

Woraiyur Police Station,

Trichy City.

Crime No.1270 of 2022

2.Tamilselvi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.1270 of 2022 dated 16.11.2022 on the file of the respondent police and quash the same as against the petitioner.

For Petitioner : Mr.D.Rameshkumar

For R-1 : Mr.M.Sakthikumar
Government Advocate (Crl. Side)

ORDER



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The petitioners, who are the accused in Crime No.1270 of 2022, have filed this application to quash the FIR pending against them.

2.The case of the prosecution is that the defacto complainant's son and the first petitioner's friend were working at Abroad. During that period, the petitioners induced the defacto complainant that if she investe Rs.9,00,000/- they would give more interest. Believing the same, the defacto complainant invested a sum of Rs.9,00,000/- in the online trading business. Thereafter, they failed to repay the said amount. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and there is no criminal breach of trust or cheating made out against the petitioners and there are enough materials and evidence to substantiate the same. Therefore, he prays to quash the FIR.

4.The grounds raised by this petitioners can very well be considered by the investigating officer during the course of investigation. The FIR is nothing but registering the complaint in the register of the Police. The purpose of investigation is to find out truth whether the



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complaint is genuine or not. The investigating officer is expected to conduct the investigation in a fair manner by considering the evidence produced by the defacto complainant and the accused. The grounds raised by this petitioners herein can very well be appreciated by the investigating officer during the course of investigation.

5.The motto of the government in its emblem is Truth Alone Triumphs and therefore, it is the responsibility of every government servant including the investigating officer to discharge their duty as expected by the government and to ensure Truth alone Triumphs.

6.Therefore, this petition is closed with liberty to the investigating officer to conduct the investigation by considering the points raised in this application, during the course of investigation and shall conclude the investigation within a period of two months either by filing final report or with a closure report. Consequently, connected miscellaneous petition is closed.

03.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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B.PUGALENDHI, J.

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To

- 1.The Inspector of Police,
Woraiyur Police Station,
Trichy City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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