



Crl.O.P.(MD) No.4437 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.4437 of 2024

and

CRL.M.P (MD) No.3494 of 2024

Palanisamy,

... Petitioner

Vs

The State represented by

1. The Inspector of Police,
Vanniyampatti Vilaku Police Station,
Virudhunagar District.
Crime No. 213/2023.

2. Murugan,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in Crime No. 213 of 2023 on the file of the first respondent police and quash the same.

For Petitioner : Mr.S.Muniyandi

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



CrI.O.P.(MD) No.4437 of 2024

ORDER

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The accused in Crime No.213 of 2023 has filed this application to quash the FIR pending against him.

2.The case of the prosecution is that the petitioner promised the defacto complainant to get a job for his son and got a sum of Rs.6,50,000/-. But he failed to honor with the same. Hence the case.

3.The learned Counsel for the petitioner submits that the petitioner is working as a Compounder in Primary Health Centre, Virudhunagar. There is no demand of inducement to pay the money. The defacto complainant has no source of income, and he cannot pay such a huge amount to the petitioner. There is no proof for the transaction between them. Hence the FIR is liable to be quashed.

4.The learned Government Advocate (Criminal Side) submits that the case was registered only on 20.12.2023 and it is a matter for investigation. He further submits that three similar cases are pending against the



CrI.O.P.(MD) No.4437 of 2024

petitioner.

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5.This court considered the rival submissions made.

6.The case is pending at the stage of investigation. The grounds raised by this petitioner 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 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 petitioner herein can very well be appreciated by the investigating officer during the course of investigation.

7.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.



Crl.O.P.(MD) No.4437 of 2024

8. 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 four months either by filing final report or with a closure report. The investigation needs to be monitored by the Inspector General of Police, South Zone.

9. Consequently, the connected miscellaneous petition is closed.

18.04.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No

LR

To
1. The Inspector of Police,
Vanniyampatti Vilaku Police Station,
Virudhunagar District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4/6



Crl.O.P.(MD) No.4437 of 2024

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The Inspector General of Police,
South Zone.



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Crl.O.P.(MD) No.4437 of 2024

B.PUGALENDHI, J.

LR

CRL.O.P (MD) No.4437 of 2024

18.04.2024