



CrI.O.P.(MD)No.9470 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.9470 of 2024

and

CrI.M.P.(MD)No.6458 of 2024

Ramasamy

... Petitioner

Vs

1. State rep. by
The Inspector of Police,
Kallidaikurichi Police Station
Tirunelveli District.
(Cr No.42/2024)

2. Kumar

... 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.42 of 2024 on the file of the 1st respondent police and quash the same.



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For Petitioner : Mr.Micheal Heldon Kumar.S
For R1 : Mr.P.Kottai Chamy
Government Advocate(Crl.side)

ORDER

This Criminal Original Petition is filed to quash the First Information Report in Crime No.42 of 2024 pending on the file of the first respondent police.

2. The case of the prosecution is that the petitioner has received money from the defacto complainant for purpose of purchasing a land. However, the petitioner had cheated the defacto complainant without purchasing the land nor he returned the money. Hence, the complaint.

3. The learned Counsel for the petitioner submits that a civil dispute is pending between the petitioner and the defacto complainant and the case is purely civil in nature.

4. The learned Government Advocate (Crl. side) submits that the case

was registered only on 03.02.2024 and it is a matter for investigation.



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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 the 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 the 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.

8. Therefore, this petition is closed with liberty to the investigating officer to conduct the investigation by considering the points raised in this



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application, during the course of investigation and shall conclude the investigation within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

15.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

jbr

To

1.The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.

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



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B.PUGALENDHI,J

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