



Crl.O.P.(MD)No.11719 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.11719 of 2024

and

Crl.M.P.(MD)No.7463 of 2024

1. Kannan

2. Roshini

... Petitioners

versus

1. State through

Inspector of Police,
District Crime Branch,
Madurai District.

2. Muthu Ganesh Kumar

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Crime No.27 of 2022 on the file of the District Crime Branch, Madurai dated 29.12.2022 and quash the same against the petitioners/4th and 5th accused.

For Petitioners : Mr.J.Gunaseelan Muthiah



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For R1

: Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

The petitioners are 4th and 5th accused in Crime No.27 of 2022 on the file of the Inspector of Police, District Crime Branch, Madurai, for the offences under Sections 120B, 406 and 420 IPC. They have filed this petition seeking to quash the case in Crime No. 27 of 2022 registered against them.

2. The learned counsel appearing for the petitioners submits that the allegation against the petitioners is that they have received a sum of Rs.89 lakhs from various persons through the defacto complainant. But, there is no proof for the same. In fact, the defacto complainant has received amount from the public and in order to escape from the clutches of law, he lodged this complaint against the petitioners.



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3. This case is pending at the stage of investigation. 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 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.

4. 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.

5. Therefore, this Criminal Original Petition is closed with liberty to the investigating officer to conduct an investigation by



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considering the points raised in this petition, during the course of investigation and shall conclude the investigation within a period of six months either by filing final report or with a closure report. Consequently, connected miscellaneous petition is closed.

26.07.2024

Index : Yes / No.
Internet: Yes / No.
NCC : Yes/No.
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To

1. The Inspector of Police,
District Crime Branch,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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