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CrI.O.P.(MD)No.462 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD) No.462 of 2022

and

CrI.M.P.(MD)No.354 of 2022

Amarnath

... Petitioner

Vs.

1.The State through
The Inspector of Police,
City Crime Branch,
Tirunelveli.

2.The Assistant Commissioner of Police,
City Crime Branch, Tirunelveli.

3.Rebecca Jaya Clement

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the proceeding of the FIR in Crime No.21 of 2021 dated 26.10.2021 on the file of the first respondent police.

For petitioner : Mr.G.Prabhu Rajadurai

For R1 & R2 : Mr.B.Nambiselvan,
Additional Public Prosecutor

For R3 : Mr.C.R.Ponnuthai
(Legal Aid Counsel)



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ORDER

This criminal original petition has been filed to quash the first information report in Cr.No.21 of 2021 dated 26.10.2021 on the file of the first respondent police.

2.The case of the prosecution is that the third respondent/defacto complainant met one John Rajadurai, who is running a company, namely, Deepthi Export Company at Tirunelveli. He borrowed money from the third respondent by promising that he will pay the loan amount with one percent interest. Therefore, the third respondent paid a sum of Rs.29,00,000/- through 2 cheques and thereafter, he refused to repay the amount. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, this Court may issue a direction to the first respondent police to complete the investigation within a stipulated period by providing an opportunity to the petitioner in order to disprove the complaint preferred by the third respondent.



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4.In view of the fair submission made by the learned counsel appearing for the petitioner, this Court is inclined to dispose the present petition by giving necessary direction to the first respondent police. Accordingly, the first respondent police is directed to conduct the investigation and complete the same within a period of four weeks from the date of receipt of a copy of this order by providing necessary opportunity to both parties. The petitioner is at liberty to produce all documents, in order to prove that there is no criminality in the complaint preferred by the third respondent.

5.In the result, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

22.01.2024

Index : Yes/No
Internet : Yes/No
gns

To

- 1.The Inspector of Police,
City Crime Branch, Tirunelveli.
- 2.The Assistant Commissioner of Police,
City Crime Branch, Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

gns

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