



WEB COPY



Crl.O.P.(MD)No.20091 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.20091 of 2022
and Crl.M.P(MD).No.13884 of 2022

Bala Murugan

... Petitioner

Vs.

1.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
Crime No.185/2019.

2.Muruganantham

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of the First Information Report in Crime No.185 of 2019 on the file of the first respondent Police Station and quash the same as illegal as against the petitioner.

For petitioner : Mr.M.Maharaja

For R-1 : Mr.S.Manikandan,
Government Advocate
(Criminal Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.185 of 2019 for the alleged offence punishable under Section 420 IPC, insofar as the petitioner is concerned.



2. The case of the prosecution is that on 29.10.2015, the defacto complainant has purchased a Maruthi Suzuki Swift Dzire Car by paying the amount of Rs.2,00,000/- and for the balance amount, the defacto complainant has got finance in Megma Finance. All of a sudden, the defacto complainant got Visa for abroad and the defacto complainant has handed over the car to his son-in-law, namely, Sathis, however, Sathis and the petitioner colluded together and have not registered the defacto complainant's car before the Registering Authority and cheated the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the friend of the first accused who is the son-in-law of the defacto complainant and the defacto complainant had handed over the car to the first accused only. The petitioner is nothing to do with the alleged offence committed by the first accused. He would further submit that the petitioner is ready to prove his innocence before the first respondent Police. Hence, 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 second respondent against the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that the investigation in this case will be completed as expeditiously as possible.

5. In view of the submission made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the first respondent Police to conclude the investigation in Crime No.185 of 2019, within a period of 12 weeks from the date of receipt of a copy of this order, after providing opportunity to both parties. The petitioner is at liberty to produce all documents before the first respondent, in order to prove his innocence. After completing the investigation, if the petitioner proves his innocence, his name may be deleted and otherwise, the first respondent Police is at liberty to proceed in accordance with law.

6. Accordingly, this Criminal Original Petition is disposed of. Connected miscellaneous petition is closed.

27.03.2024

Index : Yes/No
Internet : Yes/No
ssb

<https://www.mhc.tn.gov.in/judis>



Cr1.O.P.(MD)No.20091 of 2022

To

1. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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