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CrI.O.P.(MD)No.21716 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P(MD)No.21716 of 2024

and

CrI.M.P.(MD)No.13455 of 2024

S.Sivaneswaran

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep.by through the
Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Crime NO.358 of 2024)

2.R.Murugan

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya
Nagarik Shuraksha Sanhita, to call for the records relating to the
impugned FIR in Crime No.358 of 2024 pending on the file of the first
respondent police and quash the same insofar as the petitioner concerned.

For Petitioner

: Mr.M.P.Senthil

For R1

: Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the First
Information Report in Crime No.358 of 2024 on the file of the first
respondent Police.



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2.The contention of the petitioner is that the first and second accused are jointly doing money lending business in the name and style of C.M.Enterprises at Pulluvilai Village. The second respondent is said to have approached the petitioner seeking help to avail a sum of Rs.10 lakhs as loan. The petitioner also introduced the first and second accused to the defacto complainant. Thereafter, the first and second accused persons had granted loan to the second respondent. It is reported that there is some cheating. Hence, the complaint.

3.The learned counsel for the petitioner submits that except introducing the first and second accused to the defacto complainant, the petitioner has not done anything against the defacto complainant.

4.The learned Additional Public Prosecutor appearing for the respondent police contends that the defacto complainant had clearly mentioned about the role played by the petitioner. Further, in this case, the defacto complainant approached the petitioner, who is said to have introduced the first and second accused. Further, the petitioner is said to have made the defacto complainant to believe the first and second accused by producing some materials. Hence, the contentions raised by the petitioner can considered only during investigation.



5.Heard the learned counsel for the petitioner and the perused the materials placed on record.

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6.Considering the facts and circumstances of the case, the contentions of the petitioner that the petitioner has only introduced the first and second accused and he has not done anything with the transaction, shall be considered only during investigation. If no material is found out against the petitioner, the authorities will take appropriate action. At this stage, the prayer sought for by the petitioner cannot be considered. Accordingly, this Criminal Original Petition is dismissed. However, the Investigating Officer is directed to complete the process of investigation and file the final report within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

11.12.2024

Index : Yes/No

Internet : Yes/No

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To

1.The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

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



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M.NIRMAL KUMAR,J.

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