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CrI.O.P.No.27672 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.27672 of 2025 and
CrI.M.P.No.18777 of 2025

M.Kumaresan (a) Arjun

... Petitioner

Vs.

1. The State rep. by
The Inspector of Police
CCB-II, Coimbatore City
Crime No.72 of 2017

2. Vijayakumar.N

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS to call for the entire records in C.C.No.1881 of 2020 on the file of learned Judicial Magistrate-IV, Coimbatore and quash the same as against the petitioner.

For Petitioner : Mr.A.R.Suresh

For 1st Respondent : Mr.R.Vinothraja
Government Advocate (CrI. Side)



ORDER

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This Criminal Original Petition has been filed to quash the final report filed against the petitioner in C.C.No.1881 of 2020, for the offences under Sections 468, 471, 420 and 419 of IPC, pending on the file of learned Judicial Magistrate-IV, Coimbatore, on the ground that the person who actually received the money and who was shown as 3rd accused in the FIR, has not been shown as an accused in the final report. Further, the 2nd accused in the FIR, has also not been shown as an accused in the final report.

2. The crux of the allegations is that the petitioner under the pretext of running an employment agency, has collected huge amount from various people on the promise of securing jobs in various places and thereafter, cheated them. The statements of the witnesses who paid the money have been recorded which clearly indicate that the petitioner appears to have received huge money.

3. In such view of the matter, whether the act of the petitioner will constitute an offence or not, can be seen only after appreciation of evidence which come on record before the trial Court. At this stage, this Court is of the view that it is not a fit case to quash the final report.

4. Accordingly, this Criminal Original Petition is dismissed.



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Consequently, the connected Miscellaneous Petition is closed.

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5. However, considering the submissions of the learned counsel for the petitioner, the personal appearance of the petitioner before the trial Court is dispensed with except for receipt of copies, answering the charges, questioning under section 313 Cr.P.C./Section 351 of BNSS and on the date of pronouncing judgment and also on any other dates as may be required by the trial Court.

10.10.2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate-IV,
Coimbatore

2. The Inspector of Police
CCB-II, Coimbatore City
Crime No.72 of 2017

3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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