



WEB COPY

CRL OP No. 10690 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 10690 of 2025

1. Saifullah

S/o.Ataullah, No.8-10/99-100, S1 D
Block, Community Hall Street, 2nd
Floor, MMDA Colony, Arumbakkam,
Chennai-600 106.

Petitioner(s)

Vs

1. The State rep by, The Inspector of
Police,
District Crime Branch, Erode-638 001.
Cr.No.8/2024.

2.A.Gnanapaul

S/o.Antonydasan Nadar (Late), AFL
Complex, Tannery Street,
B.P.Agraharam, Erode-638 005.

Respondent(s)

PRAYER

To call for the records and quash the First Information Report in Cr.No.8/2024
on the file of Sub-Inspector of Police, District Crime Branch, Erode-638 001.



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For Petitioner(s): Mr.K.R.Ramesh Kumar
M.Prem Kumar

For Respondent(s): Mr.K.M.D.Muhilan, Addl.Public
Prosecutor For R1
Mr.R.Chandrasudan For R2

ORDER

This Crl.O.P., has been filed praying to call for the records and quash the First Information Report in Cr.No.8/2024 on the file of Sub-Inspector of Police, District Crime Branch, Erode-638 001.

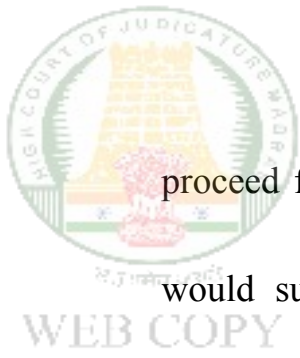
2. The 2nd respondent-de facto complainant has given a complaint to the 1st respondent police stating that he is the proprietor of Annai Fathima Leather Tannery and doing finished leather products and chemicals business for the past 35 years and also holding a godown at G.R.Hides India Pvt.Ltd., building complex at Ranipet, for easy exports of finished product to foreign countries. He further stated that he engaged four persons viz., Paramaguru, E.S.Gopi, Jamuna and Thanigaivel Murugesan in the godown. Since he was affected by kidney failure, he underwent kidney transplant operation and at that time, the above mentioned four persons along with two other persons collectively along



with the petitioner herein, had cheated money and had illegally removed the goods from the godown and sold them to third parties. The petitioner who is arrayed as 5th accused has come up before this court to quash the proceedings.

3. The learned counsel for the petitioner would submit that the petitioner is only a facilitator between the de facto complainant company and one foreign company viz., SANDRO Mode SRL, Italy, who is the regular buyer. He would further submit that other four persons facilitated the deal. The petitioner was a facilitator between the de facto complainant and the Italian company and other than that, the petitioner has not committed any offence. However, unnecessarily, the petitioner's name has been dragged into the issue.

4. The learned Additional Public Prosecutor would submit that the petitioner was well aware that the other accused have misappropriated the goods and he had facilitated contraband being sold to third parties for export. There are materials to show that there is active involvement of the petitioner. The learned Additional Public Prosecutor would further submit that the investigation is in nascent stage and if there is a stay, the respondent police will be unable to



proceed further in the investigation. The learned Additional Public Prosecutor would submit that since the petitioner had obtained Anticipatory Bail, the respondents are unable to proceed further in the investigation.

5. Mr.R.Chandrasudan, learned counsel, appeared for the 2nd respondent.

6. The allegation against the petitioner is that he contacted the other accused and facilitated in sale of misappropriated goods to third parties.

7. At the time of admission of the Crl.O.P., stay was granted on 08.04.2025. Due to the stay of all further proceedings in crime No.8/2024, there is no progress in the investigation. This court finds that the investigation is in very nascent stage.

8. In view of the above, this Crl.O.P., stands dismissed. The petitioner shall cooperate in the investigation. If it is found that the petitioner has no role in the alleged offence, appropriate action may be taken by the 1st respondent police.

24-10-2025

nvsri



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A.D.JAGADISH CHANDIRA J.

nvsri

To

- 1.The State rep by, The Inspector of Police,
District Crime Branch, Erode-638 001.
Cr.No.8/2024.
2. The Public Prosecutor Office, High Court, Madras.

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