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Crl.OP.No.11005 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.OP.No.11005 of 2023 and Crl.M.P.No.6933 of 2023

Ravi

Petitioner

Vs.

1. State Rep by
The Inspector of Police,
Central Crime Branch- I
Chennai CCB.
Crime No.38 of 2023.

2. Muthulakshmi

Respondents

Criminal Original Petition filed under Section 528 of the BNSS, 2023 to call for the records in Crime No.38 of 2023 on the file of the 1st respondent police and quash the same.

For Petitioner Mr.N.R.Elango, Senior Counsel
for Mr. A.S. Aswin Prasanna

For R1 Mr.K.M.D.Muhilan
Additional Public Prosecutor

For R2 Mr. K.R.Arun Shabari

ORDER

This petition has been filed for quashment of the FIR in Crime No.38 of 2023 on the file of the 1st respondent police.



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2. The case of the prosecution is that Kumaresan, son of Muthulakshmi (second respondent/de facto complainant), has completed ITI course; while so, one Aneefa (A3) used to visit the de facto complainant's sugarcane juice shop; Aneefa (A3) assured the de facto complainant that he can get a Government job for her son Kumaresan on the pretext that he is well acquainted with Ravi (petitioner/A1), former PA to a former Health Minister and his driver Vijay (A2); Aneefa (A3) assured the de facto complainant that he will secure a job for her son in any one of the 32 departments and also assured her sister one Chithra that he will secure a job for her son Vishnu also; during August 2020, Aneefa (A3) approached the de facto complainant and demanded Rs.5,00,000/- for getting her son the post of Clerk in Tamil Nadu Urban Habitat Development Board; likewise, he also demanded Rs.8,00,000/- from Chitra for securing a job for her son Vishnu; lured by his assurance, the de facto complainant and Chithra parted with sums of Rs.3 lakhs and Rs.4 lakhs respectively; on 04.11.2020, Aneefa (A3) instructed the de facto complainant and Chithra to come to Secretariat to meet the petitioner and Vijay (A2); further, the petitioner demanded the husbands of the de facto complainant and Chithra to give money to Vijay (A2); Vijay (A2) made them come to the car parking area and received the



money from the de facto complainant; Chithra's husband Padmanabhan received the application which was filled by the de facto complainant and Chithra's son; on 20.02.2021, the de facto complainant's son received a letter requesting to submit necessary details for the interview; on 27.02.2021, Aneefa (A3) took the de facto complainant's son to an interview at Vellore, but after reaching Arcot, he informed that the interview was cancelled and no further information was given to them regarding the interview; when the de facto complainant's son enquired Vijay (A2) about the interview, he did not respond properly; the de facto complainant subsequently approached the petitioner who promised her that their money will be returned; subsequently, goondas came to the de facto complainant's house and threatened her and Chithra's family with dire consequences. Hence, the case.

3. Mr.N.R.Elango, learned Senior Counsel for the petitioner submitted that the petitioner is a Government servant working at the Secretariat; he was a former P.A. to a former Health Minister and Aneefa (A3) had misused the name of the petitioner and received money from Chithra and the de facto complainant herein; Chithra gave a complaint on 16.02.2022 before the Commissioner of Police, Chennai, alleging that she, along with her sister, had paid Rs.11 lakhs for securing Government job through Aneefa (A3) and Vijay (A2); in that complaint, she alleged that her



sister (Muthulakshmi) had also given money; the said complaint was forwarded to the Inspector of Police, Fort St. George Police Station and an enquiry was conducted in C.No.164/Ccb/COP/Visitors/2022; the petitioner and Aneefa (A3) were summoned for enquiry; during enquiry, Aneefa (A3) gave a statement to the police admitting that he had misused the petitioner's name and received amounts from Chithra; Aneefa (A3) also gave an undertaking that he will repay the amount, based on which, the complaint was closed; subsequently, on the very same set of facts, the de facto complainant restricted her amount to Rs.3 lakhs and gave a complaint to the Commissioner of Police, Chennai, which was forwarded to the 1st respondent and a case was registered in Crime No.38 of 2023 and the petitioner was arrested and remanded to judicial custody and he has now come out on bail.

4. He further submitted that Aneefa (A3) had admitted that he has misused the petitioner's name and received the amount and given an undertaking to repay the amount; however, the second respondent, without proceeding against the closure of the complaint, which was for the same set of facts, had conveniently approached the 1st respondent herein and taking advantage of the fact that the petitioner is a Government servant, had attempted to recover the money under threat of arrest. He further submitted



that the present complaint registered against the petitioner is nothing but an abuse of process of law and the petitioner has been victimized and departmental enquiry has been initiated against him. Based on these submissions, the learned Senior Counsel sought quashment of the impugned FIR.

5. The learned Additional Public Prosecutor submitted that earlier, Chithra had given a complaint to Fort St. George Police Station that the petitioner, along with Aneefa (A3) had cheated her and her sister Muthulakshmi (de facto complainant herein), an amount of Rs.11 lakhs in the guise of securing Government jobs; based on the said complaint, an enquiry was conducted and during enquiry, Aneefa (A3) admitted that he had received the money by misusing the name of the petitioner and also gave an undertaking to repay the amount to Chithra, based on which, the earlier complaint given by Chithra in respect of cheating her and her sister was closed and subsequently, the de facto complainant gave the present complaint alleging that she was not repaid the amount of Rs.3 lakhs, based on which, the petitioner was arrested and the investigation is pending. Based on these submissions, he sought dismissal of this petition.



6. Learned counsel for the second respondent/de facto complainant submitted that though Chithra had preferred the earlier complaint, the de facto complainant's amount has not been settled so far and there is every possibility for Aneefa (A3) to retract his confession; further, the Inspector of Police, Fort St. George Police Station, has not conducted a proper investigation and he ought not to have referred the closed the case based on the undertaking given by Aneefa (A3); hence, the impugned FIR should not be quashed.

7. Heard the learned Senior Counsel for the petitioner, learned Additional Public Prosecutor for the first respondent police and the learned counsel for the second respondent/de facto complainant and perused the materials available on record.

8. The instant complaint is in respect of allegations of receiving an amount of Rs.3 lakhs and cheating the second respondent/de facto complainant by not getting Government job for her son. Admittedly, Chithra, the sister of second respondent/de facto complainant, had earlier given a complaint to the Inspector of Police, Fort St. George Police Station in respect of very same allegation stating that she and her sister were cheated to the tune of Rs.11 lakhs by the petitioner and Aneefa (A3). It is also a fact



that an enquiry was conducted in which Aneefa (A3) had admitted to misusing the name of the petitioner based on which the complaint was closed. Chithra is none other than the sister of the second respondent/de facto complainant and the earlier complaint is in respect of monies given by her and the second respondent/de facto complainant herein. Based on the admission of Aneefa (A3) that he had misused the name of the petitioner and also the undertaking given by him to settle the amount to Chithra, the earlier complaint had been closed. In the considered opinion of this Court, if at all the second respondent is aggrieved by the closure of the complaint, she ought to have filed a protest petition against the closure report, but, instead, she had lodged the present complaint by suppressing the earlier complaint lodged by Chithra. Superadded, to verify the conduct of enquiry and closure of the earlier complaint, the petitioner has filed the documents obtained under the Right to Information Act which has not been denied by the respondent police.

9. In view of the foregoing discussion, this Court is of the considered view that the impugned FIR is an abuse of process of law insofar as the petitioner.



10. Hence, the impugned FIR is quashed in respect of the petitioner alone and as a sequitur, this criminal petition is allowed. Connected miscellaneous petition is closed.

17.11.2025

sma/cad



To:

1. The Inspector of Police
Central Crime Branch- I
Chennai CCB
2. The Public Prosecutor
Madras High Court



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A.D.JAGADISH CHANDIRA, J.

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