



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 24540 of 2025 &
Crl.M.P.No.16784 of 2025**

1. Rajesh

S/o.Gangadharan, No.238A, Kalangal
Kovur, Ladavaram, Tiruvannamalai.
Tamil Nadu-606 751. and 3 Others

2. Rajesh

S/o.Masilamani, Peritamampattu,
Thiyagaduruvam, Kallakurichi.

3. Sathiya Bama

W/o.Rajesh, Peritamampattu,
Thiyagaduruvam, Kallakurichi.

4. Hari Baskar

S/o.Govindaraj, MPS Nagar,
Opp.Iswarya Karutharithal Center, Five
Road, Salem-636 004.

.... Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
EOW, Salem, Cr.No.4/2025.

... Respondent(s)



PRAYER

Criminal Original Petition filed under section 482 of Cr.P.C., to call for the records pending on the file of respondent police namely Inspector of Police, EOW, Salem, in Cr.No.4/2025 and quash the same or other orders as this Honble Court.

For Petitioner(s): Mr. S.Senthilvel

For Respondent(s): Mr. R. Vinothraja, GA (crl.side)

ORDER

This Criminal Original Petition has been filed seeking to call for the records pending on the file of respondent police namely Inspector of Police, EOW, Salem, in Cr.No.4/2025 and quash the same.

2. It is the contention of the learned counsel for the petitioners that the averments in the complaint registered in Cr.No.4 of 2025 do not attract ingredients constituting offences under section 316(2), 316(5), 318(4) r/w.62 BNS r/w.Section 3,5, 21(1), 23 of the Banning of Unregulated Deposit Schemes act 2019 (BUDS Act, 2019) and the proceedings pursuant to registration of FIR would amount to abuse of process of law. He further submitted that without the



written permission of the Superintendent of Police, FIR cannot be permissible.

Thus he prayed for quashing of the FIR in Cr.No.4 of 2025.

3. The learned Govt. Advocate (crl.side) appearing for the respondent police submitted that so far 185 depositors were identified and investigation is still ongoing.

4. Perusal of records would reveal that FIR has been filed on the basis of the Special report based on the allegations made against the accused persons by several depositors alleging that the petitioners introduced investment plans to the public on false promise that they would return double the amount they have invested. Believing the words of the petitioners, several depositors have invested their monies and the petitioners have run a company viz., Recreate Future India Pvt. Limited without getting proper licence and they are indulging in attracting more people to invest their monies in their company, thereby, they are attempting to cheat several investors who invested their monies with the petitioners and there is every possibility of the petitioner cheating the



depositors by not repaying their amounts.

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5. As contended by the learned counsel for the petitioner, merely on the ground of technicalities, this court is not inclined to quash the FIR. If any offence is made out and if any of the depositors are really cheated and their amounts have not been repaid, and if any scheme is flouted contrary to Banning of Unregulated Deposit Schemes Act 2019 (BUDS Act, 2019), the same can be unearthed only after the completion of investigation. In such a view of the matter, this court is not inclined to quash the FIR. Therefore, this petition is dismissed. Consequently, the connected miscellaneous petition is closed.

msr

09-09-2025

Index: Yes/No

Internet: Yes

To

The State Rep by, The Inspector of
Police,
EOW, Salem, Cr.No.4/2025.



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N.SATHISH KUMAR J.

msr

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