



Crl.O.P(MD).No.1212 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2025

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THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD).No.1212 of 2025

and

Crl.M.P.(MD)No.831 of 2025

Siva

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Airport Police Station,
Trichy City (In Crime No 434 of 2023).

2. Navin Kumar

... Respondents

Prayer: Petition filed under Section 528 BNSS, 2023 and Section 482 Cr.P.C., to call for the records relating to the Crime No. 434/2023 on the file of the 1st respondent police, dated 08.05.2023 and quash the same.

For Petitioner : Mr.R.Azhagesh

For R1 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

This Petition has been filed to quash the F.I.R in Crime No.434 of 2023 on the file of the first respondent police.



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2. The crux of the case is that the second respondent/defacto complainant gave a complaint before the first respondent police stating that on 07.05.2023 at 22.00 hours, at Tiruchirappalli Airport, the petitioner holding Passport bearing No.W8271802 and seeking immigration clearance in the immigration counter, manned by Balraaj. At that time, the petitioner claimed that his original name is Subramani, S/o.Govindan and initially, he had fraudulently obtained passport in the name of Siva, S/o.Murugan and subsequently renewed with the current passport, through which, he intended to travel to Singapore. Based on the same a case was registered in Crime No.434 of 2023 on 08.05.2023 for the offence under Sections 467, 468, 471 IPC and 12(1)(g) of Passport Act, 1967.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent. Perused the materials available on record.

4. On perusal of the records, this Court is satisfied that the ingredients of the offence are prima-facie made out and the same is required to be investigated by the police. Further, the Hon'ble Supreme



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Court in

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- ***Gimpex (P) Ltd. v. Manoj Goel*** reported in ***2022 (11) SCC 705 :: 2021 SCC Online SC 925,***
- ***Amish Devgan v. Union of India,*** reported in ***(2021) 1 SCC 1 : (2021) 1 SCC (Cri) 247 :: 2020 SCC OnLine SC 994,***
- ***H.P. Cricket Assn. v. State of H.P.,*** reported in ***(2020) 18 SCC 465 : (2021) 3 SCC (Cri) 555 : 2018 SCC OnLine SC 2419,***
- ***Rajeev Kourav v. Baisahab,*** reported in ***(2020) 3 SCC 317 : (2020) 2 SCC (Cri) 51 : 2020 SCC OnLine SC 168,***
- ***Saranya v. Bharathi,*** reported in ***(2021) 8 SCC 583 : (2021) 3 SCC (Cri) 377 : 2021 SCC OnLine SC 634***

had held that the High Court has no inherent powers to interfere with the investigation, unless it is found that the allegations do not disclose the commission of a cognizable offence or the power of investigation is being exercised by the police with malafides and the High Court, while exercising its jurisdiction under Section 482 of Code of Criminal Procedure / under Article 226 of Constitution of India petition seeking for quashing of FIR, should be extremely cautious and slow to interfere with the investigation and/or trial of criminal cases and should not stall the investigation and/or prosecution, except when it is convinced beyond any



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manner of doubt. Hence, this Court finds no reason to interfere with the grounds made in the petition.

5. Accordingly, this Criminal Original Petition is dismissed. The respondent Police is directed to file final report in Cr.No.434 of 2023 before the concerned Court within a period of six (6) months from the date of receipt of copy of this order. The petitioner is at liberty to file a petition for quash, after filing of final report, if so advised. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PNM

27.01.2025



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To

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1. The the Inspector of Police,
Airport Police Station,
Trichy City (In Crime No 434 of 2023).
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.,

PNM

ORDER

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27.01.2025