

CrI.O.P.(MD)No.5318 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02.06.2025

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.5318 of 2025

Asaithambi

... Petitioner

versus

1.The State of Tamil Nadu,
the Inspector of Police,
Shanarpatti Police Station,
Dindigul District,
[Crime No.432 of 2024]

2.Jospeh

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, to call for the records pertaining to the impugned first information report in Crime No.432 of 2024 under Sections 316(2), 318(4), 351(2) of BNS Act, 2023, dated 20.11.2024 on the file of the 1st respondent and quash the same as illegal.



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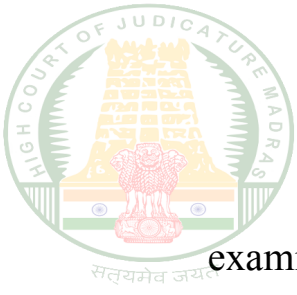
For Petitioner : Mr.R.Suresh Kumar
For R1 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)
: No representation for R2

ORDER

The petitioner has approached this court to quash the proceedings pending against him in Crime No.432 of 2024 on the file of the 1st respondent police.

2.The learned Counsel for the petitioner submits that it is purely a money transaction and a civil dispute, for which a criminal case has been registered. According to him, the defacto complainant, has to pay a sum of Rs.1,50,000/- to the petitioner and therefore, he has filed a civil suit as against the defacto complainant, who in turn has foisted this false complaint.

3.The learned Government Advocate (Crl Side) appearing for the respondent police submits that so far five witnesses have been



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examined and bank details have been collected, which disclose that the defacto complainant has paid a sum of Rs.1,50,000/- to the petitioner through bank transaction for the purpose of arranging housing loan. According to him the investigation is in crucial stage.

4.This Court considered the rival submissions made.

5.The respondent police claim that so far five witnesses have been examined, there are bank transactions and the investigation is at the crucial stage. The investigating officer is not expected merely to record the statement of the defacto complainant and the witnesses produced by him, but they have to ascertain the role of the accused in the commission of offence from the accused side also.

6.The investigating officer shall conduct the investigation by considering the points raised in this application, during the course of investigation and to conclude the investigation within a period of four months either by filing final report or with a closure report. In



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the event, if the final report is filed as against the petitioner, it is always open to the petitioner to challenge the same in the manner known to law. Accordingly this criminal original petition is closed.

02.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

DSK

To

- 1.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District,
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

DSK

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