

Crl.O.P. (MD) No.13442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13442 of 2025

and

Crl.M.P(MD)No.10683 of 2025

Selvaraj @ Selvam

... Petitioner

versus

1.The State of Tamil Nadu,
Rep. by Inspector of Police,
Uthamalai Police Station,
Tenkasi District.
(Crime No.20/2024)

2.Murugathal

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records in pursuant to the FIR in Crime No.20 of 2024 on the file of the first respondent police and quash the same.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For R1 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)



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ORDER

The petitioner, who is arrayed as Accused No.9 in Crime No.20 of 2024 on the file of the second respondent police, has filed the present petition seeking to quash the First Information Report pending against him in the said crime number.

2. The learned counsel for the petitioner submits that the petitioner, who is the husband of the second accused, is employed as a Steno-Typist (Grade-III) in the office of the Tamil Nadu Railway Police at Chennai. The respondent police have registered a case against the accused on the allegation that they collected gold ornaments from the residents of Uthumalai Village, Tenkasi District and deposited the same with Muthoot Finance and Kosamattam Finance at Uthumalai. The victims, who lost their jewels, lodged a complaint before the respondent police, pursuant to which a criminal case was registered against the petitioner and the other accused. The petitioner's wife has been arrayed as Accused No.2, as she is alleged to have acted as an agent of Muthoot Finance. Accused Nos.1 and 4 are cashiers, while the third accused is the Manager of Muthoot Finance at Uthumalai. Accused Nos.5 to 8 are relatives of the third accused, and the tenth accused is the Supervisor of Muthoot Finance, who is also a retired Additional Superintendent of

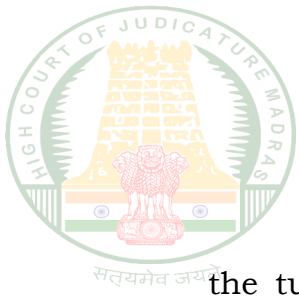


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Police. The petitioner/A9 has been implicated on the allegation that he persuaded the victims to pledge their jewels with Muthoot Finance and Kosamattam Finance. The learned counsel for the petitioner further submits that the petitioner, who is employed as a Steno-Typist in the office of the Tamil Nadu Railway Police, has been arrayed as an accused without any basis, and therefore seeks to quash the First Information Report.

3. The learned Government Advocate (Cr1. Side) submits that one Murugathal lodged a complaint before the Superintendent of Police, Tenkasi, on 12.10.2023, which was forwarded to the District Crime Branch for enquiry. The complainant, Murugathal, also filed W.P.(MD) No.27567 of 2023 before this Court, and by order dated 22.11.2023, this Court directed the respondent police to register a criminal case and conduct an investigation. Pursuant to the said directions, the respondent police registered the First Information Report in Crime No.20 of 2024 against the petitioner and nine others for the offences under Sections 294(b), 406, 420, and 506(i) IPC. He further submits that, during investigation, the investigating agency recovered 2295.5 grams of gold ornaments belonging to six victims, and subsequently, on adding some other victims, recovered an additional 209.5 grams of gold ornaments belonging to them. According to him, the victims have been cheated to



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the tune of Rs.1.5 crores. Insofar as the petitioner is concerned, it is submitted that financial transactions to the extent of Rs.36,00,000/- were found in his bank account between 01.12.2022 and 31.01.2024. The learned Government Advocate contends that the matter is at the preliminary stage of investigation and therefore, it is not a fit case for quashing the First Information Report.

4. In reply, the learned counsel for the petitioner submits that the petitioner has already furnished a self-explanatory reply to the alleged transactions between 01.12.2022 and 31.01.2024 through his representation dated 02.09.2023. It is contended that the petitioner is having all records to substantiate the said transactions, and that based only on vague allegations, he has been arrayed as an accused.

5. This Court considered the rival submissions made.

6. It appears that the petitioner has been added as an accused solely on account of being the husband of the second accused. According to the investigation agency, the second accused acted as an agent in Muthoot Finance and Kosamattam Finance, and along with the other accused, she collected jewels from the victims. The investigation agency further claims that some of the victims have stated that the petitioner



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also canvassed along with his wife/A2 to pledge the jewels. The investigation agency has also collected materials from his bank account, which show transactions to the extent of Rs.36,00,000/- between 01.12.2022 and 31.01.2024. The petitioner, who is employed as a Grade-III Steno-Typist drawing a monthly salary of Rs.26,000/-, had transactions to an extent of Rs.36,00,000/-, and therefore, the respondent police have added him as an accused and they are conducting the investigation.

7. Investigation is a process of finding out the truth, and the investigating agency is not expected to conduct it in a mechanical manner solely on the basis of the statements made by the victims and the defacto complainant. The investigation agency shall consider the representation of the petitioner and the grounds raised in this petition during the course of investigation, ascertain the truth, determine the role, if any, played by the petitioner, and thereafter take a decision on whether he is to be added as an accused. Therefore, at this stage, this Court is not inclined to interfere with the investigation. It is expected that the investigation shall be conducted in a fair manner. The petitioner is at liberty to appear before the respondent police and explain the transactions that took place between 01.12.2022 and 31.01.2024.



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8. With the above observations, this criminal original petition is dismissed. Consequently, connected M.P is closed.

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NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1. The Inspector of Police,
Uthamalai Police Station,
Tenkasi District.
(Crime No.20/2024)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

skn

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