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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5473 of 2026

and

Crl.M.P(MD)No.5896 of 2026

Nazar

...Petitioner/Ranking not known

Vs

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
Kanyakumari Cyber Crime Cell,
CCD-III District.
Nagercoil,
Crime No.58/2024.

...1st Respondent/Complainant

2. Ajmal

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records relating to the impugned FIR in Crime No.58/2024 dated 06.12.2024 on the file of the 1st respondent police and quash the same.

For Petitioner : M/s.V.Sukumar

For Respondents : Mr.A.Albert James
Government Advocate(crl.side)
for R1



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ORDER

The present petition has been filed by the accused person in Crime No.58 of 2024, on the file of the first respondent police seeking to quash the F.I.R., wherein the petitioner is alleged to have committed offences under Sections 420 of IPC and 66-D of the Information Technology (Amendment) Act.

2. A perusal of FIR reveals that a sum of Rs.2,40,000/- has been credited to the account of the petitioner herein by way of online fraud.

3. According to the learned Counsel appearing for the petitioner, he is also a victim and therefore, the investigation is not proceeding in a proper manner and he has been unnecessarily implicated in the criminal case.

4. According to the learned Government Advocate appearing for the first respondent submitted that to the credit of the petitioner's Bank account, a sum of Rs.2,40,000/- has been credited and therefore, it requires investigation whether the petitioner is one of the accused persons or he is also one of the victims. Unless the investigation is completed, the said fact cannot be found out.



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5. In view of the above said facts, it is clear that unless the investigation is completed, it cannot be found out whether the petitioner is a victim of a cyber fraud or the petitioner is also one of the accused persons who is involved in the crime. In such circumstances, the question of quashing of the F.I.R. as against the petitioner does not arise.

6. There are no merits in the petition. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is also closed.

17.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Inspector of Police,
Kanyakumari Cyber Crime Cell,
CCD-III District.
Nagercoil,

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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