

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.17622 of 2015
and M.P.No.1 of 2015

M.Balaji

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Ambur Range,
Vellore District.

2.P.Palani

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to call for the records relevant to the F.I.R. in Crime No.58
of 2015 on the file of the 1st respondent Police and quash the same.

For Petitioner :: Mr.M.V.Muralidaran

For Respondents :: Mr.C.Emalias [R1]

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to call
for the records relevant to the F.I.R. in Crime No.58 of 2015 on the
file of the 1st respondent Police and quash the same.

2. Heard Mr.M.V.Muralidaran, the learned counsel appearing
for the petitioner and Mr.C.Emalias, learned Additional Public
Prosecutor appearing for the first respondent.

3. On a reading of the complaint, that form the basis of the
F.I.R., the complainant has clearly named only Murali, Natarajan,
Panneer Selvam, Dilli Babu, Ramesh, Vijayakumar, Yuvaraj and Prem as
accused. The name of this petitioner does not find place in the
complaint given by the defacto-complainant. Admittedly, this
petitioner also belongs to the same village and is known to the
defacto-complainant.

4. It is a specific case of the defacto-complainant that the
aforesaid persons came by auto-rickshaw and two wheeler on 17.05.2015
and abused the defacto-complainant and one of them even attacked the
four named persons. When the defacto-complainant has clearly named
the accused in his complaint, surprisingly this petitioner has also

been arrayed as an accused and arrested.

5. Under such circumstances, the Deputy Superintendent of Police, the Investigating Officer is directed to examine these aspects and if the petitioner is not involved in the offence, his name should be deleted in the final report.

6. With the above direction, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ds

To

1.The Deputy Superintendent of Police,
Ambur Range, Vellore District

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.V.Muralidaran Advocate sr.35853

Cr1. O.P. No.17622 of 2015

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सत्यमेव जयते

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