

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.17972 of 2015
and M.P.No.1 of 2015

Sivakumar

...

Petitioner

Vs

1.State rep.by
The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

2.Sundaravadivel

...

Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.299 of 2014 on the file of the 1st respondent police and to quash the same.

For Petitioner :Mr.K.Gandhi Kumar

For Respondents :Mr.C.Emalias

Additional Public Prosecutor for R1

ORDER

सत्यमेव जयते

This petition has been filed to quash the FIR in Crime No.299 of 2014 on the file of the 1st respondent police.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent and perused the materials placed on record.

3.It is seen that on a complaint lodged by the defacto complainant, a case in Crime No.299 of 2014 has been registered on 23.10.2014 for offences under Section 341, 294B, 323 and 307 IPC read with 3 of the PPD L Act. It is the allegation of the defacto complainant that the petitioner has been obstructing the workmen of the defacto complainant from transporting lorries and on the date of incident, i.e., on 23.10.2014, the petitioner has attacked the defacto complainant and assaulted him also.

4.The learned counsel for the petitioner submitted that the petitioner/accused is a social activist and that he has been taking up the cause of illegal mining in the area. Be that as it may, when the FIR discloses any cognizable offence, it should not be quashed, as held by the Hon'ble Supreme Court in State of Haryana v. Bhajan Lal reported in 1992 Supp (1) SCC 335.

In view of the above, this Criminal Original Petition is dismissed, as it is devoid of merits. Consequently, connected Miscellaneous petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

mps

To

1.The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

2.The Public Prosecutor,
High Court, Chennai.

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and M.P.No.1 of 2015

ctk(co)
kra(10/08)



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