

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.13553 of 2014

and

M.P.No.1 of 2014

1.Dr.S.Suresh

2.A.Martin

... Petitioners

Vs

The State,

Rep. By Inspector of Police, (Crime)

H-6, R.K.Nagar Police Station,

R.K.Nagar, Chennai.

...Respondents

(FIR No.162/2004 in Crime No.385/2004)

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to the Crime No.385 of 2004 dated 23.04.2004 pending on the file of the first respondent and quash the same.

For Petitioners :Mr.Thomas T Jacob

For Respondent :Mr.C.Emalias

Additional Public Prosecutor

ORDER

This criminal original petition has been filed to call for the records pertaining to the Crime No.385 of 2004 dated 23.04.2004 pending on the file of the first respondent and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that on 23.04.2004, based on suspicion, the respondent police apprehended one Radha and he was found to be in possession of diazepam tablets. Based on the confession statement of Radha that he had purchased the tablets from the petitioners herein, they were made accused. From the year 2004 to 2015, the respondent police have not done any investigation in this case. Apart from the police, confession of the co-accused Radha, there is absolutely no material whatsoever against the petitioners herein. Under these circumstances, this Court is of the view that it will

be travesty of justice, if the case is kept pending over the heads of the accused indefinitely.

In the result, the petition is allowed and the FIR in H-6, R.K.Nagar Police Station Crime No.385 of 2004 as against the petitioners alone is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

sms

To

1. Inspector of Police, (Crime)
H-6, R.K.Nagar Police Station,
R.K.Nagar, Chennai.

2. The Public Prosecutor,
High Court, Madras.

+4 cc to Mr.Thomas T Jacob, Advocate, sr.39683.

Cr1.OP.No.13553 of 2014
in
M.P.No.1 of 2014

Mg (co)
kra(20/08)

सत्यमेव जयते

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