

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.21689 of 2015

and

MP.No.1 of 2015

1.M.S.Abdul Rasheed
2.A.R.Mohammed Mustafa
3.A.R.Mohammed Kasim
4.S.Mohammed Ilyas
5.Moammed Iliyas
6.Ayyub

...Petitioners

Vs

1.The State rep by
Inspector of Police,
D-1 Bazaar Police Station,
Coimbatore.

2.A.Shanawas

...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records relating to the FIR in crime No.203 of 2015 on the file of the respondent police and quash the same as illegal and abuse of process of law.

For Petitioners : Mr.A.Ansar

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor
[for R1]

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O R D E R

This petition has been filed to quash the FIR in crime No.203 of 2015 on the file of the 1st respondent police.

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

3. It is seen that the complaint has been given by the Secretary of the Jammad against the erstwhile office bearers of the Jammad. Despite publication in the newspapers, they are not handing over the account books of the Jammad in order to find out the collections in the Hundi and other receipts.

4. Learned counsel for the petitioner submits that FIR has been registered to wreck vengeance against the petitioners herein.

5. This Court cannot go into the disputed facts at this stage, when there is prima facie material for the police to investigate, the FIR cannot be quashed as held by the Hon'ble Supreme Court in State of Haryana Vs Bhajan Lal 1992 Supp [1] SCC 335. Therefore, this petition is dismissed, with liberty to the petitioner to workout his remedies in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Inspector of Police,
D-1 Bazaar Police Station,
Coimbatore.

2.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.A.Ansar, Advocate SR.No. 46148

SVI (CO)
PSI (10.09.2015)

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