

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28924 of 2015

and M.P.No.1 of 2015

S.Rajkumar

... Petitioner

Vs

The State of Tamil Nadu,
rep. by the Inspector of Police,
K-7 Anna Nagar Prohibition
Enforcement Wing,
Chennai - 40.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the case in Crime No.652 of 2014 on the file of the respondent and quash the same in so far as the case against the petitioner/second accused is concerned.

For Petitioner : Mr.C.K.M.Appaji

For Respondent : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed to call for the records pertaining to the case in Crime No.652 of 2014 on the file of the respondent police and quash the same as against the petitioner/second accused is concerned.

2. The case in Crime No.652 of 2014 has been registered as against the petitioner and one Saravanan based on the complaint given by one Surrenderan, for the alleged offence punishable under Sections 4(1)(i) read with 4(1)(A) of TNP Act. To quash the same as against the petitioner is concerned, the present criminal original petition has been filed.

3. However, I am of the considered opinion that the scope of Section 482 Cr.P.C. to quash the first information

report is very limited, since the investigation is not yet completed. Hence, I am of the opinion that the present OP is a pre-mature one. However, the petitioner is at liberty to approach this Court after filing final report by the respondent police.

4. In fine, the criminal original petition is dismissed. However, the petitioner is at liberty to work out his remedy after filing of the final report. The respondent is directed to complete the investigation and file a final report as expeditiously as possible. Consequently, connected miscellaneous petition is also dismissed.

Sd/
ASSISTANT REGISTRAR (CS-VI)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sbi

To

1.The Inspector of Police,
K-7 Anna Nagar Prohibition
Enforcement Wing,
Chennai - 40.

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.28924 of 2015

CO-VSN
JD 30/12/2015

सत्यमेव जयते

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