

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Crl.O.P.No.3261 of 2015

and

M.P.No.1 of 2015

N.Narayana Reddy ...Petitioner/Accused

vs.

1. The State, rep. by
Sub Inspector of Police,
Denkanikottai Police Station,
Krishnagir District.

2. V.Surendhran ...Respondents/Complainant & Defacto
Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for records in Cr.No.546 of 2014, on the file of the first respondent-Police and to quash the same.

For Petitioner : Mr.R.Shanmugam, Senior Counsel
for M/s.Dr.R.Gopinath

For Respondent-1: Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioner is arrayed as accused in the First Information Report, registered in Cr.No.546 of 2014, on the file of the first respondent-Police and this Petition is filed to quash the FIR.

2. It is submitted by the learned Senior Counsel for the petitioner that, as per the complaint given by the de facto complainant, he is working as Assistant Engineer in the Tamil Nadu Electricity Board, on 25.11.2014, at about 11.00 a.m., when he was carrying out the maintenance work, the petitioner along with one Suresh Babu, prevented the de facto complainant from doing the official duty and also attempted to beat him. Hence, the present complaint came to be lodged against the petitioner. The learned Senior Counsel submitted that the petitioner never indulged in such

activities and no material has been furnished by the de facto complainant to substantiate his case, and therefore, the Police erred in registering the case on the mere allegation levelled against the petitioner. The learned Senior Counsel, therefore, submitted that the Petition is liable to be allowed and the FIR in Cr.No.546 of 2014 is liable to be quashed.

3. I am unable to accept the contentions of the learned Senior Counsel for the petitioner. A reading of the complaint given by the de facto complainant makes out prima facie case for registering the FIR in the abovesaid Crime Number for offence under Sections 294 (b), 186, 332, 353 and 506(i) IPC, and the Police have rightly registered the case against the petitioner. Whether the allegations made against the petitioner are true or not, can be ascertained only during investigation, and at this stage, this Court cannot go into the veracity of such allegations. Hence, I do not find any merit in this Petition.

4. In the result, the Criminal Original Petition is dismissed. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar
Dated:25.2.15

True Copy

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.3261 of 2015

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