

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.4606 of 2015
and M.P.No.1 of 2015

Dr.A.Rajaraman ... Petitioner

Vs

1.State of Tamil Nadu
rep. By its,
The Inspector of Police,
T-15, SRMC Police Station,
Porur, Chennai-116.

2.S.Ramamurthi ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the entire records comprised in Crime No.517/2014 dated 10.07.2014 pending on the file of the 1st respondent and quash the same.

For Petitioner :Mr.Vimal B Crimson

For Respondents :Mr.C.Emalias
Additional Public Prosecutor for R1

ORDER

This petition has been filed to call for the entire records comprised in Crime No.517/2014 dated 10.07.2014 pending on the file of the 1st respondent and quash the same.

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

3.On reading of the complaint, it is alleged by the defacto complainant that the petitioner and others are illegally entering into the apartment and causing damage to the compound wall.

4.The learned counsel for the petitioners submitted that the presence of the petitioner has not been mentioned in the FIR. It is true that the defacto complainant has not stated that the petitioner was present. Nevertheless, the defacto complainant stated that a

CCTV Camera has captured the events and the visages have been given to the police for investigation. Thus, when the investigation is in nascent stage, this Court should not embark upon disputed question of fact as held in State of Haryana v. Bhajan Lal reported in 1992 Supp (1) SCC 335 and quash the same. Hence, this petition is dismissed as it is devoid of merits. Consequently, connected Miscellaneous petition is closed.

mps

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
T-15, SRMC Police Station,
Porur,
Chennai-116.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.Vimal B.Crimson Advocate SR 28477

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