



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24/4/2015
CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

WEB COPY

CrI.O.P. (MD) No. 3640 of 2015
and
MP (MD) 1 of 2015

S Balachandran ... Petitioner/1st Accused

Vs

1. State
Rep by The Sub Inspector of Police
Thirukokarnam Police Station
Pudukottai District
2. State
Rep by The Deputy Superintendent of Police
Pudukottai Town
Pudukottai ... Respondents 1&2/Complainant
3. K.Katturaj ... 3rd Respondent/Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records from the respondents 1 and 2 in Cr.No.272 of 2013 and quash the same as devoid of merits.

For Petitioner : Mr.A.Haja Mohideen
For Respondents 1 & 2 : Mrs.S.Prabha
Govt. Advocate (CrI.side)
For R3 : Mr.D.Rameshkumar,

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O R D E R

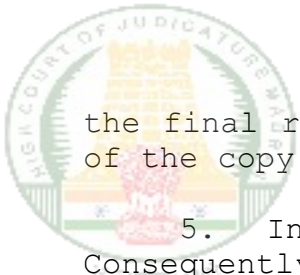
This Criminal Original Petition has been filed praying to call for the records from the respondents 1 and 2 in Cr.No.272 of 2013 and quash the same as devoid of merits.

2. The learned counsel for the petitioner made his submission on merits stating that First Information Report has been registered out of personal motive, in view of the fact that in pursuant to the election conducted.

3. There is no dispute of fact that there is a case registered at the instance of the petitioner's group. Therefore, it is a case in counter. The Law is quite settled that the question of fact cannot be gone into while quashing the First Information Report.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Considering the facts and circumstances of the case, a direction is issued to the first respondent to complete the investigation and file



the final report within a period of four months from the date of receipt of the copy of this order.

5. In the result, this Criminal Original petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

WEB COPY

\\True copy\\

Sub Assistant Registrar

To

1. The Sub Inspector of Police
Thirukokarnam Police Station
Pudukottai District
2. The Deputy Superintendent of Police
Pudukottai Town
Pudukottai
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc TO MR.A.HAJA MOHIDEEN, ADVOCATE SR.NO.22086

+1cc TO MR.D.RAMESHKUMAR, ADVOCATE SR.NO.22092

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MVS

NA/SJW/13/05/2015/P2/6C