



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P. (MD) No.9961 of 2011

and M.P. (MD) No.2 of 2011

1.Amar Abdul Samad

2.R.Kannan

... Petitioners/Accused

Vs.

1.The State by

Inspector of Police,

Uthamapalayam,

Theni District.

..1st Respondent/Complainant

2.S.Rajasekaran

.. 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records to the proceedings in Crime NO.477 of 2010 on the file of Uthamapalayam Police Station and quash the same as illegal and pass such further or other orders, as this Court deems fit and proper in the circumstances of the case.

For Petitioners : Mr.P.Prakash

For 1st Respondent : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

This petition has been filed under Section 482 of Cr.P.C, seeking quash of F.I.R pending against the petitioners in Crime No.477 of 2010 on the file of the first respondent police.

2.Heard learned counsel for petitioner and learned Government Advocate (Crl. Side) for first respondent.

3.The case in Crime NO.477 of 2010 has been registered at the instance of a business rival of the petitioner. A bare reading of the complaint informs action of a busy body. When such action is tainted with malafides the case has to be quashed. The case in Crime NO. 477 of 2010 shall stand quashed and the Criminal Original Petition is allowed. Consequently, connected M.P. Is also dismissed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub- Assistant Registrar

To

1.The Inspector of Police, Uthamapalayam, Theni District.

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1cc to M.R.BalaKrishnan, Advocate in SR.No.13706

sm:01.04.2015:1P/4C

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