

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.OP.No.10278 of 2011
and MP.No.1 of 2011

1.V.Anandan
2.Ravi @ R.Sukumar
3.Satish @ K.Mariappan ... Petitioners

Vs

State Rep by
The Inspector of Police,
Chennimalai Police Station,
Chennimalai,
Erode District. ... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in FIR No.94 of 2011 on the file of the Inspector of Police, Chennimalai Police Station, Chennimalai, Erode District and quash the same.

For Petitioners: Ms.C.Uma
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been praying to quash the FIR in Crime No.94 of 2011 on the file of the respondent police.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

3. On the complaint lodged by P.Marappan, the respondent police have registered a case in Crime No.94 of 2011 on 12.03.2011 for the offences under Section 120(B) r/w 307 IPC against Raghupathy and 5 others, challenging which A2 to A4 are before this Court.

4. On a reading of the complaint which forms the basis of the FIR, it is alleged by the de facto complainant that he is an Ex-MLA and that he acted as whistle-blower and brought to light the illegal activities that was said to be taking place in Chennimalai Weavers Society, pursuant to which, one Raghupathy was placed under suspension. He has further alleged that he received reliable information that the said

Raghupathy and other accused had conspired to get rid of him by stage managing a motor accident.

5. It is the case of the petitioners/accused that no such meeting had taken place and that the de facto complainant with his influence with the police has lodged the present complaint with false allegations. It may be necessary to state here that the petitioners have not impleaded the de facto complainant as a respondent.

6. This Court called for records from the trial Court and found that during investigation the learned Judicial Magistrate No.III, Erode has recorded the 164 Cr.P.C. statement of one Palanisamy, in which he has stated that the accused wanted to get rid of the de facto complainant.

7. In the light of the above, it cannot be stated that there are no materials for the investigation to proceed further. In the result, the petition is dismissed with a direction to the respondent police to expeditiously complete the investigation and either file a closure report or take action in accordance with law. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ds

To:

1.The Inspector of Police,
Chennimalai Police Station,
Chennimalai,
Erode District.

2.The Public Prosecutor
High Court, Madras.

Copy to: The Assistant Registrar, (Crl.Side)
Crl.Section, High Court, Madras.

(with reference to the order in the "Note" Portion)

Crl.OP.No.10278 of 2011

CA(CO)
EU 17.11.16