

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.4484 of 2016

And

Crl.M.P.No.2337 of 2016

Sundar ... Petitioner

Vs.

1.Inspector of Police,
Virunchipuram Police Station,
Vellore District.

2.Dhanan Chezhiyan ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pending on the file of the first respondent police namely Inspector of Police, Virunchipuram Police Station, Vellore District in Crime No.32/2016 and to quash the Criminal proceeding.

For Petitioner : Mr.E.Kannadasan

For Respondents: Mr.C.Emalias for R1

Additional Public Prosecutor

सत्यमेव जयते
ORDER

The petitioner has come forward with this petition seeking to call for the records pending on the file of the first respondent police namely Inspector of Police, Virunchipuram Police Station, Vellore District in Crime No.32 of 2016 and to quash the Criminal proceeding.

2.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

3.The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as the second accused and this is a case in counter and hence, came forward with this

petition seeking to quash the criminal proceeding in Crime No.32 of 2016 registered on the basis of the complaint given by the second respondent herein.

4.At the time of admission, arguments heard in length.

5.The case has been registered on 23.01.2016. The alleged occurrence is said to have taken place on 22.01.2016 at 17.30 hours. The complaint has been given on the very next day and on the basis of the complaint, the case has been registered against four named and two un-named persons and in the case, the petitioner is arrayed as the second accused. There is a basic averment against this petitioner, since according to the petitioner, it is a case in counter, but admittedly, F.I.R. is not an encyclopedia. Investigation is at early stage. In such circumstances, this Court do not find any reason to quash the F.I.R.

6.Hence, this Criminal Original Petition is dismissed as pre-mature in nature. Consequently, the connected miscellaneous petition is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Inspector of Police,
Virunchipuram Police Station,
Vellore District.

2.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.E.Kannadesan Advocate sr.13074

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