



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. (MD) No.1855 of 2016

and

CrI.M.P. (MD) No.949 of 2016

1.Manikandan

2.Shanmuga Sundaram

..Petitioners/Accused 1 and 2

Vs

1.The State represented by
The Inspector of Police,
Panagudi Police Station,
Radhapuram Taluk,
Tirunelveli District.

..Respondent/Complainant

2.J.Anitha

..Respondent/Defacto complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pertaining to the case in Crime NO.354 of 2015 on the file of the Inspector of Police, Panagudi Police Station, Tirunelveli District and quash the same against the petitioners.

For Petitioners :Mr.S.R.Anbarasu

For Respondents :Mr.C.Mayilvahan Rajendran
Additional Public Prosecutor
for R.1

O R D E R

This petition has been filed to call for the entire records pertaining to the case in Crime NO.354 of 2015 on the file of the Inspector of Police, Panagudi Police Station, Tirunelveli District and quash the same against the petitioners.

2. Heard Mr.S.R.Anbarasu, learned Counsel appearing for the petitioners and Mr.C.Mayil Vahana Rajendran, learned Additional Public Prosecutor appearing for the State.

3. On a reading of the F.I.R., this Court is not convinced with the contentions of the learned Counsel appearing for the petitioners that it lacks the necessary ingredients for a regular investigation. However, the learned Counsel appearing for the petitioners produced sufficient materials to show that the petitioner was in love with the defacto complainant and thereafter there was a sudden change in the attitude of the defacto complainant, resulting in a false case being registered against the petitioners.

4. It is brought to the notice of this Court that the complaint in this case was given to the Deputy Superintendent of Police who seems to have forwarded to the Inspector of Police for registration of F.I.R. Under such circumstances, it will be in the interest of justice, if the



Superintendent of Police, Tirunelveli District is directed to monitor the investigation in Cr.No.354 of 2015, on the file of the Inspector of Police, Panagudi Police Station, Radhapuram Taluk, Tirunelveli District and during the course of investigation, if it is found that the petitioners are innocent, it is needless to say that the F.I.R. should be closed.

5. With the above directions, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police, Tirunelveli District.

2.The Inspector of Police, Panagudi Police Station,
Radhapuram Taluk, Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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PBK/SK-SKN 12/02/2016 ::2P-4C::