



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.6368 of 2016

and

Crl.M.P. (MD) No.3161 of 2016

K.Annadurai

... Petitioner/1st Accused

vs.

1. The State rep.by
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.130 of 2014)

... Respondent/Respondent

2. S.Sathya Bhama
The Sub-Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

... Respondent / *De facto*
Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C., to call for the entire records pertaining to the F.I.R., in Crime No.130 of 2014, on the file of the Inspector of Police, Nanguneri Police Station, Tirunelveli District and quash the same.

For Petitioner : Mr.R.Anand

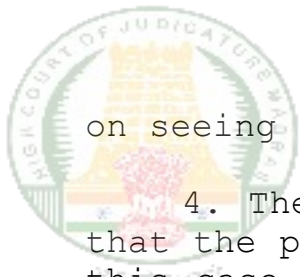
For Respondents : Mrs.S.Prabha, G.A.(Crl.Side) for R1

ORDER

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking quashment of the proceedings in Crime No.130 of 2014, on the file of the first respondent Police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.

3. It is seen that based on the information given by Nanguneri Circle Inspector, the first respondent along with his officials
<https://hosevices.ecourts.gov.in/hosevices/> kudi Pond, where they found that some unknown persons (later came to know that they are Mani, Suganbala, Isakkimuthu, Annadurai and Sivasubramani) are quarrying sand and



on seeing the Police party, they fled away.

4. The learned counsel appearing for the petitioner submitted that the petitioner / first accused has been falsely implicated in this case inasmuch as the local Police have enmity against him as he has been filing public interest litigation petitions before this Court against illegal quarrying.

5. In the considered opinion, if the F.I.R., discloses cognizable offences, the same cannot be quashed in the light of the decision rendered by the Hon'ble Supreme Court in **State of Haryana and Others vs. Bhajan Lal**, reported in **[1992 Supp (1) SCC 335]**. Further, taking into consideration the fact that the petitioner / first accused has been filing public interest litigation petitions, the Deputy Superintendent of Police, Nanguneri Sub-Division, is directed to monitor the investigation in Crime No.130 of 2014, on the file of the first respondent Police and during the course of investigation if it is found that the petitioner / first accused is not involved in this case, it is needless to state that his name shall be removed from the final report.

6. With the above observations, this criminal original petition is disposed of. Consequently, connected criminal miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police
Nanguneri Police Station
Tirunelveli District.
2. The Deputy Superintendent of Police,
Nanguneri Sub Division, Nanguneri.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

KRK

TE/SKS-RR/ : 05/05/2016 : 2P/4C

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and

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