



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.15852 of 2017 and

CRL.M.P.(MD)No.10537 of 2017

P.Balathandayutham

... Petitioner/1st Accused

-Vs-

The State represented by,
The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi.

(Crime No.599 of 2017)

... Respondent/Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for records of the case in Crime No.599 of 2017 on the file of the Paramakudi Town Police Station and to quash the same.

For Petitioner : Mr.A.Karthick Kumar

For Respondent : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

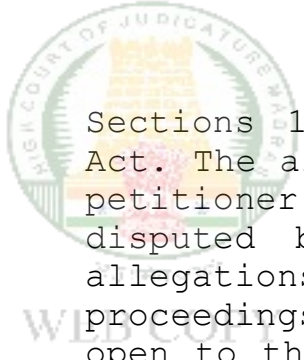
O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.599 of 2017 on the file of the respondent/Inspector of Police, Paramakudi Town Police Station, Paramakudi.

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

3. The petitioner is the first accused who states that he is the owner of the vehicle bearing Registration No.TN 67-E-5661. It is stated by the petitioner that the vehicle owned by the petitioner is meant for his personal use and that on 10.09.2017, his friend requested the petitioner to give his Car for his family use and that his vehicle was given to his friend only to use the same for attending the family function of the petitioner's friend. It is therefore stated that the First Information Report in Crime No.599 of 2017 is false and the same is liable to be quashed.

<https://hcservices.courts.gov.in/hcservices/> 1. It is not in dispute that the allegations found in the First Information Report discloses cognizable offence under



Sections 143, 188 of I.P.C., and Section 177 of Motor Vehicles Act. The allegation found in the First Information Report that the petitioner's vehicle was involved in the offence is seriously disputed by the petitioner. The truth or otherwise of the allegations made in the complaint cannot be gone into in this proceedings filed to quash the First Information Report. It is open to the petitioner to raise all his submissions on merits and the disputed questions on facts can be resolved only at the time of trial. Hence, this Court is not inclined to entertain this petition. The Criminal Original petition is dismissed, accordingly. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(RTI)
/True copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL.O.P. (MD) No.15852 of 2017 and
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