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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR
Crl.O.P.(MD) No.8373 of 2017
and
Crl.M.P(MD) No.5665 of 2017

Mahendran ... Petitioner/Sole Accused

-VS-

1.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District. ...Respondent/Complainant

2.Masilamani @ Subashchandrabose ...2nd Respondent/
De-facto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying this Court to call for the records in Crime No.116 of 2017 on the file of the 1st respondent and quash the same as against the petitioner herein.

For Petitioner : Mr.S.Deenadhayalan

For R-1 : Mr.K.Anbarasan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed praying this Court to call for the records in Crime No.116 of 2017 on the file of the 1st respondent and quash the same as against the petitioner herein.

2.Heard the learned counsel for the Petitioner and the learned Government Advocate(Crl.side) appearing for the first respondent and perused the materials placed before this Court.

3.The learned counsel for the Petitioner would submit that he has not involved in the offence alleged against him. Further, he would state that the Petitioner was assaulted but unfortunately, a false case was registered against him.

4.The contention of the Petitioner is a matter of evidence and the same can be considered only during investigation. Therefore, it is too early to quash the FIR, when the complaint specifically refers to a cognizable offence. The truth would be known only after the investigation is completed.



5.Hence, this Criminal Original Petition is dismissed.
Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(Records)

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/True copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Dheenadhayalan,Advocate,SR. 63457

Cr1.O.P.(MD) No.8373 of 2017
and
Cr1.M.P(MD) No.5665 of 2017
05.07.2017

VSN

KK/SKN RSK/SAR2/11.07.2017/2P-4C/