



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9229 of 2017

and

CRL.MP.(MD).No.6275 of 2017

WEB COPY

Nagadeepa

...Petitioner/Accused No.1

-Vs-

1.The State represented by

The Inspector of Police,
Sivagangai Town (Crime) Police Station,
Sivagangai.

(Crime No.1029/2016)

.. Respondent/Complainant

3.Gowrisankar,

Village Administrative Officer,
59,Paiyur Pillaivayal Group Village,
Sivagangai Taluk,
Sivagangai District.

.. Respondent/De-facto
Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records relating to FIR in Crime No.1029 of 2016, dated 31.12.2016, on the file of the Inspector of Police, Sivagangai Town (Crime) Police Station, Sivagangai and quash the same as against the petitioners.

For Petitioner
For Respondents

: Mr.D.Ramesh Kumar
: Mr.K.Anbarasan
Government Advocate(Crl.Side)

O R D E R

This application filed by the petitioner to call for the records relating to FIR in Crime No.1029 of 2016, dated 31.12.2016, on the file of the Inspector of Police, Sivagangai Town (Crime) Police Station, Sivagangai and quash the same as against the petitioners.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.

3. Based on the complaint received from the Village Administrative Officer, Sivagangai Taluk, Sivagangai District, regarding the theft of some Sewing Machines, which were stored in the District Administration, a case was registered in Crime No.1029 of 2016, dated 31.12.2016, for the offences under Section 457 and 380 of PIC.



4. The complaint was about the theft of 24 sewing machines. At the time of giving the complaint, no one knew as to the person, who have committed theft. However, based on the said complaint, it was found that the petitioner was also suspected to have another set of key for the go-down. It is only in anticipation of enquiry against the petitioner, the petitioner rushed to this Court to quash the First Information Report in Crime No.1029 of 2016.

5. The case of the petitioner is that the respondent police registered a case against the petitioner on the basis of some anonymous statement. The petitioner also admitted that he was arrested in connection with the crime. The case of the petitioner regarding his non-involvement of the crime, at this stage cannot be considered by this Court by taking into consideration the factual issues. It is only after a full fledged trial, the truth will come out and the petitioner also will be given sufficient opportunity to prove his case. But, at this stage, this Court has no hesitation that the petitioner cannot be entitled to maintain the petition. Hence, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
Sivagangai Town (Crime) Police Station,
Sivagangai.

2. Gowrisankar,
Village Administrative Officer,
59, Paiyur Pillaivayal Group Village,
Sivagangai Taluk,
Sivagangai District.

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

Das/pjl

RL/4C/2P/JC/SAR1/01/08/2017

CRL.O.P. (MD) No.9229 of 2017