

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.20173 of 2018 &
CrI.M.P.No.10768 of 2018

1. Thamarai Pugazhendhi

2. R.Louis. P. Niquet ... Petitioners/A2 & A3

Vs.

1. G.Patchemuthu

2. P.Perumal Coundar ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set-aside the order passed by the learned Judicial Magistrate IV at Puducherry in CrI.M.P.No.2058 of 2018, dated 17.07.2018.

For Petitioners : Mr.Sharath Chandran

ORDER

The 1st respondent filed CrI.M.P.No.2058 of 2018 before the Judicial Magistrate IV, Puducherry, under Sections 156 (3) and 200 Cr.P.C., for which, the Judicial Magistrate by order, dated 17.07.2018, had directed the police to register an FIR against the petitioners, who are the officials of the Public Works Department. Challenging the said order, the petitioners, who are proposed accused, are before this Court.

2.Heard Mr. Sharath Chandran, learned counsel for the petitioners and perused the materials placed on record.

3. It is seen that the respondent has not even filed necessary affidavit. In the light of the judgment of the Supreme Court in Priyanka Srivatsava Vs State of UP (2015 6 SCC 287), it is always open to the proposed accused to challenge

the FIR, if a case is registered by the police.

4.With the above said liberty, the petition is dismissed.
Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

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Sub Assistant Registrar

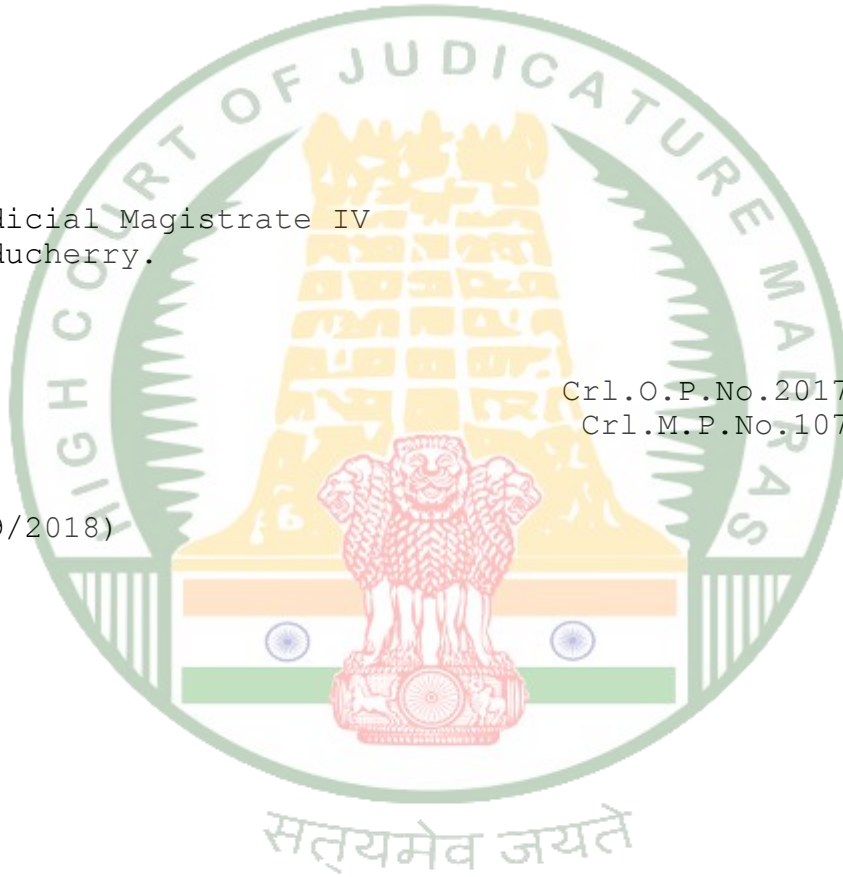
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To

1. The Judicial Magistrate IV
at Puducherry.

Cr1.O.P.No.20173 of 2018 &
Cr1.M.P.No.10768 of 2018

GMV (06/09/2018)



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