

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.12759 of 2018

and Crl.M.P.No.6912 of 2018

Rajesh Kanna

.. Petitioner

Vs

1.State by
Inspector of Police
J-1 Police Station
Saidapet, Chennai 600 015.

2.Selvi ...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to Cr.No.303 of 2018 and A/FIR No.356 of 2018 on the file of J1 Police Station, Saidapet, Chennai 600 015 and quash the same.

For Petitioner : Mrs.Vedavallikumar

For R1 : Mrs.Kritika Kamal, P.

Government Advocate [Crl.Side]

O R D E R

This petition has been filed to call for the records relating to Cr.No.303 of 2018 and A/FIR No.356 of 2018 on the file of J1 Police Station, Saidapet, Chennai 600 015 and quash the same.

2. On the complaint lodged by Selvi, the respondent police have registered a case in Cr.No.303 of 2018 on 10.04.2018 under Section 304-A IPC against one Rajendran. On a reading of the FIR, it is seen that the husband of the de facto complainant, by name, Thirunavukkarasu was working as a painter under Rajendran; that Rajendran had taken contract for painting the fifth floor of G.R. complex, in which, String Information Services Private Limited run by the petitioner is functioning; that the petitioner had given painting contract to Rajendran; that while painting, Thirunavukkarasu fell down from the fifth floor and succumbed to the injuries.

3. Mrs.Vedavallikumar, learned counsel for the petitioner submitted that the petitioner has not been implicated in the FIR at all and that, even according to the FIR, the petitioner had

given the contract to Rajendran and it is the duty of Rajendran to provide sufficient safety equipments for the employees working under him.

4. There is much force in the submission made by the learned counsel for the petitioner. However, it is too premature to quash the prosecution at the threshold. Hence, the Assistant Commissioner of Police, Adyar, is directed to monitor the investigation in Saidapet Police Station Cr.No.303 of 2018 and during the course of investigation, if it is found that the petitioner had no role at all, it is needless to state that further action against the petitioner should be dropped.

With the above direction, this petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)
//True Copy//
Sub Assistant Registrar

gms

To

1.The Inspector of Police
J-1 Police Station
Saidapet, Chennai 600 015.

2.The Public Prosecutor,
High Court, Madras.

3.The Public Prosecutor
High Court Madras

+1 cc to M/s.Vedavallikumar Advocate sr 32211

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